

Allen C. W. Mathues to be postmaster at Media, in the county of Delaware and State of Pennsylvania.

Nathaniel B. Miller to be postmaster at North Clarendon, in the county of Warren and State of Pennsylvania.

James H. Wells to be postmaster at Wilcox, in the county of Elk and State of Pennsylvania.

G. Clinton Williams to be postmaster at Spring City, in the county of Chester and State of Pennsylvania.

TEXAS.

Edward Blanchard to be postmaster at San Angelo, in the county of Tom Green and State of Texas.

George W. Burkitt, jr., to be postmaster at Palestine, in the county of Anderson and State of Texas.

J. J. Cypert to be postmaster at Hillsboro, in the county of Hill and State of Texas.

Harry Harris to be postmaster at Gatesville, in the county of Coryell and State of Texas.

W. H. Ingerton to be postmaster at Amarillo, in the county of Potter and State of Texas.

Johnnie J. Kelly to be postmaster at Eastland, in the county of Eastland and State of Texas.

J. A. Smith to be postmaster at El Paso, in the county of El Paso and State of Texas.

WYOMING.

Cameron W. Garbutt to be postmaster at Sheridan, in the State of Wyoming.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 21, 1907.

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

UNALLOTTED LANDS IN ROSEBUD RESERVATION.

The SPEAKER laid before the House the bill (H. R. 24987) to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect, with Senate amendments.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent to nonconcur in the Senate amendments and ask for a conference.

Mr. WILLIAMS. What are the amendments?

Mr. SHERMAN. There are two main amendments. One is changing the rate of interest the United States is to pay on the fund which is to be put into the Treasury. The House fixes the rate of interest on such fund at 3 per cent. The Senate changed it to 5 per cent.

The other provision is an appropriation for \$15,000, which should be made reimbursable, but the Senate did not make it so.

The SPEAKER. Does the gentleman from New York offer an amendment?

Mr. SHERMAN. No; I ask unanimous consent to nonconcur and go to conference.

The SPEAKER. The gentleman from New York asks unanimous consent to nonconcur in the Senate amendments and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. SHERMAN, Mr. BURKE of South Dakota, and Mr. STEPHENS of Texas.

HEZEKIAH DEZARN.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution, which I send to the Clerk's desk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return the bill H. R. 830, entitled "An act granting an increase of pension to Hezekiah Dezarn."

The resolution was agreed to.

MAKING FINAL PROOF IN DESERT-LAND ENTRIES.

Mr. JONES of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25513) extending the time for making final proof in certain desert-land entries.

The Clerk read the bill, as follows:

Be it enacted, etc., That all desert-land entrymen, under the Benton Water Company's canal, in Benton County, State of Washington, who would be required under existing law to make final proof during the year 1907, are hereby given an additional year in which to make such final proof.

The Clerk read the following amendment recommended by the committee:

Add at the end of the bill the following:

"Provided, That each entryman claiming the benefits of this act shall, within ninety days after its passage and approval, file in the local land office of the district in which the lands embraced in his entry are located an affidavit describing his lands and stating that he expects to irrigate the same with water from the canal of said company."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LOBBYING AT NATIONAL CAPITOL.

Mr. LAMAR. Mr. Speaker, on the 12th day of February I introduced the bill H. R. 25617, a bill to prohibit lobbying at the National Capitol. I think the terms of the bill are more comprehensive than I intended; that they include a class or classes that I did not intend to include. The bill was almost literally from the Georgia statute and aimed at railway lobbying at the Georgia State capitol. It was my intent that the bill should effect that object here. If it is a proper parliamentary procedure, I should like, by unanimous consent, to withdraw the bill from the files of the House. If that is not correct, I would like to ask that the Committee on the Judiciary be discharged from the consideration of the bill and that the bill lie on the table. I will then reintroduce it.

The SPEAKER. The gentleman from Florida asks unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill indicated and that the same do lie on the table.

Mr. GARRETT. Is it the desire of the gentleman from Florida simply to confine the provision of the bill against lobbying railroad companies?

Mr. LAMAR. It is. I will read the amendment.

Mr. MANN. Mr. Speaker, this does not seem to me to be a matter for debate.

The SPEAKER. Well, the gentleman asked unanimous consent, and, as usual, there is a little play to see whether he is going to get it or not. [Laughter.]

Mr. LAMAR. I will make the bill express what I intended in the first instance, and that is a bill to prohibit lobbying at the National Capitol in behalf of railroads or railway companies engaged in interstate commerce.

Mr. GARRETT. Why not forbid lobbying in regard to other things?

Mr. LAMAR. I am introducing my own bill. I haven't the slightest objection to the gentleman introducing one.

Mr. GARRETT. But the gentleman introduced his own bill in the first instance.

Mr. LAMAR. I am asking to withdraw my own bill and substitute that which I intended and desired.

Mr. GARRETT. Well, it is a personal matter, and I do not object.

The SPEAKER. If the Chair understands the request of the gentleman from Florida, it is to discharge the Committee on the Judiciary from the further consideration of the bill indicated and that the bill do lie on the table. Is that correct?

Mr. LAMAR. That is correct.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMAR. Now I will reintroduce the bill as amended.

The SPEAKER. That will have to be done through the box.

BRIDGE ACROSS MONONGAHELA RIVER AT PITTSBURG, PA.

Mr. BARCHFELD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25691) to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Liberty Bridge Company, a corporation created and organized under the laws of the State of Pennsylvania, its successors and assigns, be, and it is hereby, authorized to construct and maintain a bridge and approaches thereto over the Monongahela River, in the State of Pennsylvania, from a point of intersection by the center line of South Third street, in the city of Pittsburgh, projected to and intersecting the United States harbor line at the south shore of said river, thence by a right line coincident with the center line of said street and being the proposed center line of said bridge, to a point of intersection with the United States harbor line at the north shore of said river.

Sec. 2. That said bridge shall be constructed for the passage of railway trains and for the use of the public as a highway bridge for vehicle and foot passengers, and shall be a lawful structure, and shall be recognized and known as a post route, upon which no higher charge shall be made for the transportation over the same of the mails, the

troops, and munitions of war of the United States than the rate per mile paid for the transportation over the railroads leading to the said bridge, and shall enjoy the rights and privileges of other post-roads in the United States; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal telegraph and telephone purposes: *Provided*, That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges in the passage of railroad trains over the same and the approaches thereto, and foot passengers and vehicles shall have the right of passage over said bridge, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies or others, or any one of them desiring such use, shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in the use of said bridge, all matters at issue between them shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties.

SEC. 3. That said bridge shall be so built and located that navigation under it shall be reasonably free, easy, and unobstructed, and to secure this condition of navigation the company building the said bridge shall submit to the Secretary of War and the Chief of Engineers for their examination and approval a design and drawing of the bridge and a map of the location thereof, showing sufficient soundings to fully develop the river bed for one-quarter mile above and the same distance below the bridge, and until the said plan and location are approved by the Secretary of War and the Chief of Engineers the said bridge shall not be commenced or built, and no changes shall be made in approved plan of said bridge during the progress of construction, or after completion, unless plans showing such change shall have previously been submitted to and received the approval of the Secretary of War and the Chief of Engineers; and the said company shall, at its own expense, make from time to time such changes in said bridge as the Secretary of War may direct in order the more effectually to render navigation through or under it reasonably free, easy, and unobstructed; and the said company, its successors and assigns, shall cause to be displayed on said bridge between the hours of sunset and sunrise, and at other times, such lights and other signals as may be prescribed by the Light-House Board.

SEC. 4. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within two years from the date of the approval of this act.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following amendments:

Strike out all of section 1, after the word "River," in line 7, page 1, and insert the following:
"in accordance with the provisions of the act of Congress approved March 23, 1906, entitled 'An act to regulate the construction of bridges over navigable waters.'"

Strike out all of sections 2 and 3.

Renumber sections 3 and 4 to sections 2 and 3.

Mr. BARCHFELD. Mr. Speaker, I offer the following additional amendment, which I send to the desk and ask to have read:

The Clerk read as follows:

Page 4, line 10, strike out the word "two" and insert the word "three"; so it will read: "and completed within three years from the date of the approval of this act."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the amendments.

The question was taken; and the amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time; read the third time, and passed.

On motion of Mr. BARCHFELD, a motion to reconsider the last vote was laid on the table.

DISPOSITION OF MINERAL LANDS, NEW MEXICO.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution 415, as amended, which I send to the desk and ask to have read:

The Clerk read as follows:

House resolution 415.

Whereas on the 16th day of April, 1906, W. H. ANDREWS, Delegate to Congress from New Mexico, presented a petition to Congress signed by G. Hauser, H. R. Taylor, and 28 other citizens of said Territory, which petition is as follows, namely:

To the honorable Senate and House of Representatives of the United States in Congress assembled:

We, your petitioners, respectfully represent

That for many years last past the lands comprised in townships 10 north, range 11 west, and 11 north, range 12 west, New Mexico principal meridian, have been commonly known to contain large deposits of copper ores.

That said lands are within the area granted to the Atlantic and Pacific (now Santa Fe) Railroad Company; that the act of Congress granting said lands to said railroad company excluded and excepted from the terms of the transfer all mineral land, should any such be found to exist, excepting coal and iron.

That some fifteen years ago the railroad company sold a large tract of their lands in the vicinity of the aforesaid townships to Mitchell Brothers; that Mr. Spaulding, father-in-law of Mr. Mitchell, made an examination of the tracts of land to be purchased, and refused to advise the Mitchells to purchase the aforesaid townships, giving as a reason, as he stated on several occasions, that said townships contained copper in such quantities that the lands could not be held under the railroad grant; that at such time no patent had been issued to the railroad company for the lands in said townships; that mining and prospecting and the location of claims has been going on in said townships for many years, and about the year 1900 a large number of min-

ing claims were located in the aforesaid townships and mining has been actively prosecuted ever since.

That about the year 1902 a patent was issued conveying to the Santa Fe Railroad Company all odd-numbered sections of land in said townships; that said patent by its terms and its words excluded and excepted from the terms of the transfer all mineral lands, should any such be found to exist, except coal and iron.

That during the past year the Santa Fe Railroad Company, through its agents, has filed upon or pretended to file upon a number of legal subdivisions of the even-numbered sections of land in said townships, by virtue of forest lien selections.

That the agents of the railway company who went out to post the notices of such selections on said lands in said townships misrepresented their mission by stating to several miners and prospectors that said agents were going into another neighborhood to look at some timber lands; that the notices of the selection of said lands were posted, if posted at all, in out-of-the-way places very near the ground, where it was only by accident that said notices were discovered at all.

That as the situation now is, those who have located mining claims on the public domain of the United States, and spent a number of years developing same, will now be compelled to yield up their property to the Santa Fe Railroad Company, or spend a great deal of time and money contesting in order to establish their legal rights.

Believing that when persons in good faith locate on the public domain their rights should be protected by the Government, we respectfully petition:

I.

That an examination of the lands in townships 10 north, range 11 west, and 11 north, range 12 west, New Mexico principal meridian, be made under authority of and at the expense of the Government; that after a full hearing such of said lands as are found to contain mineral be withdrawn from the grant to the railroad company and any patent covering such lands canceled, same having been issued either through mistake as to the character of said lands or procured by fraud and misrepresentation as to the character of the land.

II.

That the laws requiring notices of selections of public lands be so amended as to require such notice to be posted on a board designated therefor at the post-office nearest the land so selected.

III.

That such other legislation be enacted as will make it forever impossible for any person, firm, or corporation to ever procure title to large areas of mineral lands in defiance of the rights of the real discoverers and of the actual settlers in said tract.

Respectfully,

G. HAUSER,
H. R. TAYLOR,
(And 28 others).

Therefore, be it

Resolved, That the Secretary of the Interior is hereby respectfully directed to advise the House of Representatives of the United States what, if any, disposition has been made of the lands comprised in townships 10 north, range 11 west, and 11 north, range 12 west, New Mexico principal meridian.

Second. And whether any of said lands contain deposits of copper or any other minerals except coal and iron, and whether any mining or prospecting had been done on said lands or any location of mining claims made thereon prior to 1902, when patents were issued to the Santa Fe Railway Company for the odd-numbered sections in said townships.

Third. And also whether said railroad company has, for either itself, its agents, or any assignee of any of its lien forest-reserve land scrip, filed such scrip on any of the even-numbered sections of land in said townships; and if so, by whom and when were such filings made, and were they made on any mineral lands on which mining locations were previously made.

With the following amendments:

In line 2 strike out the word "advise" and insert the word "inform."

In line 3, after the word "States," insert the words "if not inconsistent with the public interests."

In line 12, after the word "patents," strike out the word "were" and insert "are alleged to have been."

In line 4, page 3, after the word "any," insert the words "of said;" so that it will read "any of said mineral lands."

Strike out the preamble.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to have some explanation of this resolution.

Mr. STEPHENS of Texas. Mr. Speaker, I will state that in the reservation known as the Atlantic and Pacific Railroad Reservation, in New Mexico, there were certain township lands that mining prospectors had been on before the railroad company had had its grant extended over those lands. These prospectors have expended quite a lot of money in developing mines on this property. It seems that the railroad and the miners are contesting as to whether it is mineral land, and the question is to ascertain from the Secretary of the Interior what reports have been made. We are asking for information as to what reports he has on file relative to this being mineral or nonmineral land.

Mr. PAYNE. This is only to obtain information?

Mr. STEPHENS of Texas. Information strictly, that is all. It comes from the Committee on Public Lands.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The question was taken; and the amendments were agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended.

The question was taken; and the resolution was agreed to.

The SPEAKER. Without objection, the preamble will be stricken out.

There was no objection.

EXTENDING TIME FOR OX BOW POWER COMPANY TO CONSTRUCT DAM ACROSS MISSOURI RIVER.

Mr. DIXON of Montana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25672) to amend an act entitled "An act to authorize the Ox Bow Company, of South Dakota, to construct a dam across the Missouri River," which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 2 of chapter 1821 of the laws of 1894, approved April 28, 1904, is hereby amended to read as follows:

"Sec. 2. That this act shall be null and void unless the structures herein authorized shall be commenced within one year and completed within six years from the date of approval thereof."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

The title was amended.

TO RATIFY LEASE WITH SENECA INDIANS.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 24125) to ratify a certain lease with the Seneca Nation of Indians, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That a lease bearing date September 21, 1906, between the Seneca Nation of Indians on the Cattaraugus and Allegany reservations, in the State of New York, and Charles M. L. Ashby, of Boston, Mass., is hereby ratified and confirmed.

With the following amendments:

In lines 6 and 7 strike out the words "Boston, Mass." and insert the words "Erie County, N. Y." in lieu thereof.

The SPEAKER. Is there objection?

Mr. SULZER. Mr. Speaker, reserving the right to object, I would like to have some explanation regarding this bill.

Mr. SHERMAN. Mr. Speaker, this is a bill to ratify a lease made by the Seneca Nation of Indians to the man named therein, to be used mainly for the purpose of taking sand from that portion of the reservation which is not allotted, that portion of the reservation which is called "common." The lease is made by the council of the nation in regular assembly, and its ratification is desired by the nation.

Mr. SULZER. Mr. Speaker, I would like to ask the gentleman a question. Has this resolution been favorably reported by the committee?

Mr. SHERMAN. The committee has reported it unanimously; and there is provision in the lease, of course, for compensation, \$5 per acre for every acre used, plus 10 cents per yard for every yard of sand which is carried away from the reservation, plus 8 per cent in the net profits of the transaction.

Mr. SULZER. Then, as I understand the gentleman, this lease only refers to sand, not to oil or anything of that kind?

Mr. SHERMAN. It might refer to other things. The lease says "to enter thereon, dig thereon, excavate thereon, work thereon, and remove therefrom such sand, metal, or mineral products as he or they may see fit or not, etc." but the expectation is, I understand, to remove sand. That is the prime object of the lease. There may be some others, but the lease provides that if other materials are found there is an additional royalty to be paid to the Indians thereon.

Mr. SULZER. I think this resolution ought to specify sand and no other mineral.

Mr. SHERMAN. The resolution is simply to confirm the lease. The lease is made by the Indians. Here is the original lease. Now, this is a proposition to confirm the lease; that is all this resolution is.

Mr. STEPHENS of Texas. If the gentleman will permit me to ask this question, I think we may get at an explanation. I believe the Indian agent has agreed to this under the direction of the Commissioner of Indian Affairs.

Mr. SHERMAN. The lease was made subject to the knowledge of the Indian Office, but these lands are not like ordinary Indian lands where the Department has the right to pass upon a lease to approve or disapprove of it. This is not land the title to which was in the United States. It is a peculiar situation, that the old colony of Massachusetts owned the land and it came into the possession of these Indian tribes, so that the Attorney-General has held that the Department has no right to act upon a lease as it has in other cases.

Mr. SULZER. Mr. Speaker, I would like to ask the gentleman from New York if any oil or iron or other minerals have been found on this land of the Seneca Indians in the State of New York?

Mr. SHERMAN. Why, I think oil has been found on them. I do not know whether any other substance has been or not.

Mr. SULZER. Is not the real object of this resolution to get the oil and not the sand?

Mr. SHERMAN. I understand not. I understand this lease is not made for the purpose of procuring oil. I got that statement from the gentleman from New York [Mr. ALEXANDER], who is not now in the Hall and who is the introducer of the bill.

Mr. SULZER. When was this resolution favorably reported unanimously from your committee?

Mr. SHERMAN. January last—a few weeks ago.

Mr. SULZER. Mr. Speaker, I am in some doubt about this matter, and would like to have it go over for the present, so that I can investigate the subject.

The SPEAKER. The gentleman from New York objects.

PROHIBITING SHANGHAING IN THE UNITED STATES.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25190) to amend sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of the bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That sections 1, 2, and 3 of an act entitled "An act to prohibit shanghaiing in the United States," approved June 28, 1906, be amended so as to read as follows:

"Whoever, with intent that any person shall perform service or labor of any kind on board of any vessel engaged in trade and commerce among the several States or with foreign nations, or on board of any vessel of the United States engaged in navigating the high seas or any navigable water of the United States, shall procure or induce, or attempt to procure or induce, another, by force or threats or by representations which he knows or believes to be untrue, or while the person so procured or induced is intoxicated or under the influence of any drug, to go on board of any such vessel, or to sign or in any wise enter into any agreement to go on board of any such vessel to perform service or labor thereon, or whoever shall knowingly detain on board of any such vessel any person so procured or induced to go on board thereof or to enter into any agreement to go on board thereof by any means herein defined, or whoever shall knowingly aid or abet in the doing of any of the things herein made unlawful shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

Sec. 2. That sections 1, 2, and 3 of the act hereby amended are repealed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

U. S. S. LOUISIANA.

Mr. FOSS. Mr. Speaker, I submit a privileged report on House resolution 833, a resolution of inquiry, and I call for the reading of the resolution and the report.

The SPEAKER. Does the gentleman report the resolution now?

Mr. FOSS. Yes.

The SPEAKER. The gentleman from Illinois presents the following resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to inform the House of Representatives of the nature, character, and extent of the work now being done upon the U. S. S. Louisiana at the navy-yard, New York; whether such work was originally required to be done by the contractors under the contract for the construction of said vessel; the estimated cost of said work; the amount, if any, deducted from the contract price and not paid to the contractors by reason of the said work not being done by them; the time that has elapsed since said work was begun and the additional time that will be required to complete said work; and the reasons for stating in the "Report of Progress of Naval Vessels," dated June 11, 1906, that the said U. S. S. Louisiana, as reported by the Navy Department, was 100 per cent completed.

Also the following report from the Committee on Naval Affairs was read:

The Committee on Naval Affairs, to whom was referred House resolution No. 833, after a careful consideration beg to favorably report the same with the following amendments:

In line 2, after the word "directed," insert "if not incompatible with the public interest."

In line 3, after the word "work," insert the words "if any."

In line 7, after the word "vessel," insert the words "if so, why the contractors did not perform said work."

In line 16, after the word "completed," insert "if in fact said vessel was not completed on said day."

The SPEAKER. The question is on agreeing to the committee amendments.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The question was taken; and the resolution as amended was agreed to.

DAM ACROSS MISSISSIPPI RIVER, MORRISON COUNTY, MINN.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8377) to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of a Senate bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That section 1 of an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906, be, and the same is hereby, amended so as to read as follows:

"SECTION 1. That the consent of Congress is hereby granted to the Pike Rapids Power Company, a Minnesota corporation, its successors or assigns, to construct and maintain across the Mississippi River a dam, canal, and works necessary incident thereto for water power and supply purposes at a point between sections 20, 29, and 32 in township 128 north, range 29 west of the fifth principal meridian, and sections 17 and 20, in township 39, range 32 west of the fourth principal meridian, in Morrison County, Minn.: *Provided*, That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of the construction of the same: *And provided further*, That the said Pike Rapids Power Company, its successors or assigns, shall not deviate from such plans after such approval, either before or after the completion of said structures, unless the modifications of such plans shall have previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War: *And provided further*, That there shall be placed and maintained in connection with said dam a sluiceway so arranged as to permit logs, timber, and lumber to pass around, through, and over said dam without unreasonable delay or hindrance and without toll or charges: *And provided further*, That the dam shall be so constructed that the Government of the United States may at any time construct in connection therewith a suitable lock for navigation purposes, and may at any time, without compensation, control the said dam so far as shall be necessary for the purposes of navigation, but shall not destroy the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the construction of said dam as he may deem advisable in the interests of navigation."

SEC. 2. That section 4 of said act above referred to be, and the same is hereby, amended so as to read as follows:

"SEC. 4. That the right to amend, alter, or repeal this act is hereby expressly reserved, and the same shall become null and void unless the construction of the dam hereby authorized is commenced within one year from June 1, 1907, and completed within three years thereafter."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, for the present I object.

PUBLIC LANDS FOR CEMETERY PURPOSES.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 6229) to authorize the sale of public lands for cemetery purposes, together with certain committee amendments and one amendment which I offer.

The SPEAKER. The gentleman from Idaho asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to sell and convey to any municipal corporation, religious or fraternal association, or private corporation, empowered by the laws under which such corporation or association is organized or incorporated to hold real estate for cemetery purposes, not to exceed 40 acres of any unappropriated nonmineral public lands of the United States for cemetery purposes, upon the payment therefor by such corporation or association of the sum of not less than \$1.25 per acre.

Also the following amendments, recommended by the committee, were read:

In line 4 strike out the words "municipal corporations."

In line 8 strike out the word "forty" and insert the word "eighty."

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he proposes to offer an amendment to the effect that the land shall revert to the United States in case it is not used?

Mr. FRENCH. The Clerk has my amendment to that effect; yes.

Mr. FINLEY. Mr. Speaker, reserving the right to object, I think this ought to be explained.

Mr. FRENCH. The bill is simply a general bill to obviate the necessity of passing numerous special bills granting a little tract of land to some church or some fraternal organization for cemetery purposes. The words "municipal organizations" the committee recommended should be stricken from the bill, because there is already a general law covering that. The bill simply extends this privilege to fraternal, charitable, and religious organizations, and organizations for cemetery purposes. I have also offered an amendment that a good many seem to think should be offered, providing that the land should revert to the United States should the same cease to be used for the purposes granted in the bill.

Mr. FINLEY. Now, as to the price.

Mr. FRENCH. Not less than \$1.25 an acre, or at \$1.25, I believe.

Mr. FINLEY. Is it intended to fix that sum as the standard price of lands to any and all such corporations?

Mr. FRENCH. At not less than \$1.25 per acre, and the definite amount rests with the Department.

Mr. WILLIAMS. I would like to ask the gentleman this question: This is land taken by religious and charitable associations, but as I understand to be taken by them solely for cemetery purposes.

Mr. FRENCH. It must be used exclusively for cemetery purposes, and the amendment I propose to offer provides that if it should cease to be used for cemetery purposes it shall revert to the Government.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding, after the word "acre," in line 2, page 2, the following:

"*Provided*, That title to any land disposed of under the provisions of this act shall revert to the United States should the land cease to be used for the purpose herein provided."

Mr. FINLEY. Does the gentleman mean by that amendment all of the land or any part of it? Suppose this corporation should dispose of a part of the lands?

Mr. FRENCH. I would have no objection to saying "the land or any part thereof," if I may have the opportunity.

Mr. FINLEY. I think that should go in, at least.

Mr. LACEY. The difficulty of that, Mr. Speaker, I wish to call to the attention—

The SPEAKER. The Clerk will read the amendment as proposed to be amended.

The Clerk read as follows:

Provided, That title to any lands, or any part thereof, disposed of under the provisions of this act shall revert to the United States should the lands cease to be used for the purpose herein provided.

The SPEAKER. Is there objection?

Mr. LACEY. Mr. Speaker, I will object to that amendment in that form. That amendment would practically nullify the bill, because it is only 80 acres anyhow, and suppose there was some one buried on 40 acres, and no one buried on the other 40, then the other 40 would be forfeited.

Mr. FINLEY. Then, Mr. Speaker, I object to the bill.

The SPEAKER. Objection is heard.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT ST. LOUIS, MO.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 25629) to repeal the act of February 27, 1901, granting authority to the East St. Louis and St. Louis Bridge and Construction Company, of the city of East St. Louis, Ill., to build, own, operate, and maintain a bridge across the Mississippi River.

Be it enacted, etc., That the act approved February 27, 1901, entitled "An act amending an act entitled 'An act authorizing the construction of a bridge over the Mississippi River to the city of St. Louis, in the State of Missouri, from some suitable point between the north line of St. Clair County, Ill., and the southwest line of said county,' approved March 3, A. D. 1897," granting consent to the East St. Louis and St. Louis Bridge and Construction Company, of the city of East St. Louis, of the county of St. Clair and State of Illinois, a corporation organized under the laws of the State of Illinois, its assigns, successor, grantees, mortgagees, representatives, and successors in interest, to build, own, operate, and maintain a bridge and approaches thereto, as hereinafter described, across the Mississippi River from some point between the north line of St. Clair County, Ill., and the southwest line of said county to the city of St. Louis, State of Missouri, be, and the same is hereby, repealed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MURPHY, a motion to reconsider the vote by which the bill was passed was laid on the table.

REGISTRATION OF TRADE-MARKS.

Mr. BONYNGE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 25474) to amend sections 5 and 6 of an act entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same."

The Clerk proceeded to read the bill.

Mr. MANN. Mr. Speaker, to save time, for the present I shall object.

The SPEAKER. The gentleman from Illinois objects.

LEAVE TO EXTEND REMARKS.

Mr. MORRELL. Mr. Speaker, I ask unanimous consent to extend remarks in the RECORD on the public schools of the District of Columbia.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. TAWNEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 25745)—the sundry civil appropriation bill; and, pending that motion, I ask unanimous consent that general debate may be closed at the conclusion of the statement of myself and the gentleman from Alabama [Mr. TAYLOR], not to exceed an hour.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Reserving the right to object—

Mr. BURKE of South Dakota. I would like the attention of the chairman of the committee. I desire to know if there would be given opportunity for debate on some of the questions that are in this bill. I refer particularly to the item that makes appropriation for the special service of the General Land Office.

Mr. TAWNEY. I would say to the gentleman from South Dakota that one reason why general debate is not extended or asked for any greater length of time is in view of that suggestion, that there are a number of items in the bill that will necessarily provoke a great deal of discussion under the five-minute rule. There will be no disposition on the part of myself to unreasonably curtail debate when those several items are reached in the reading of the bill. Another reason, Mr. Speaker, for making this request is that it is getting somewhat late in the session, the bill is a very large one, covering 200 pages, the reading of it will require a great deal of time, and we ought to pass it and send it to the Senate just as soon as we possibly can. It is for that reason, Mr. Speaker, that I ask unanimous consent that general debate may be closed with the statement of myself and the gentleman from Alabama [Mr. TAYLOR], which statements shall not exceed one hour.

Mr. TAYLOR of Alabama. Mr. Speaker, I am perfectly willing to give that unanimous consent so far as I am individually concerned; but since the chairman of the committee rose I have had several requests for time. Consulting only my personal feelings, individually, I would be perfectly willing, but there are matters that gentlemen on this side wish to discuss.

Mr. TAWNEY. I think I know the items in the bill which the gentlemen wish to discuss who have requested time from the gentleman from Alabama. They can have ample opportunity for discussion when those items are reached in the bill. I have in mind what the gentleman refers to, something in connection with St. Elizabeth's Hospital.

Mr. TAYLOR of Alabama. I wish that time should be allowed on that proposition. The gentleman from Florida desires to discuss the report of the investigation of the Insane Asylum. I have requests from one or two on this side who desire to discuss that proposition.

Mr. TAWNEY. Well, the gentleman from Alabama and other gentlemen can readily see that if time is given on one side for the discussion of that question it will necessarily require a like amount of time on this side. We will then get into a discussion between the minority and the majority members of the special committee appointed for the purpose of investigating the administration of St. Elizabeth's Hospital, and I hope the gentleman will not object to my request.

Mr. TAYLOR of Alabama. Individually, I have no objection.

Mr. KEIFER. I have no objection to the question raised by the chairman of the Committee on Appropriations, but I wish to say that there are one or two important matters contained in the bill on which a liberal time for debate ought to be allowed, the time to be occupied to be pertinent to the question, as there are two or three matters proposed to be omitted from the bill for the first time in the history of this country.

Mr. PRINCE. The gentleman from Ohio has asked the question that I desired to ask, whether there would be given a liberal time under the five-minute rule for the discussion of those questions.

Mr. TAWNEY. I have already stated that there will be no attempt on my part to curtail the time for discussion pertinent to the subject under the five-minute rule.

Mr. SULZER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CLARK] have half an hour.

Mr. TAWNEY. I can not consent to that.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. CLARK of Florida and Mr. SULZER. I object.

Mr. CLARK of Missouri. Mr. Speaker—

The SPEAKER. Does the gentleman from Missouri object?

Mr. CLARK of Missouri. I will unless I can get a reply from the chairman of the committee. I have no doubt but what you

would carry out what you say in perfect good faith so far as you are concerned; but there are 385 other members, and any one of them can cut off any man from further debate after five minutes by objecting.

Mr. TAWNEY. I want to make the further statement: This bill—

Mr. SULZER. Mr. Speaker, I will object unless the gentleman from Minnesota agrees that the gentleman from Florida [Mr. CLARK] shall have half an hour.

The SPEAKER. Objection is made.

Mr. TAWNEY. I give notice, Mr. Speaker, that upon going into the Committee of the Whole, after the statement, I shall move to rise and return to the House for the purpose of closing general debate.

The SPEAKER. The question is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the sundry civil appropriation bill.

The question was taken; and the motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 25745—the sundry civil appropriation bill—with Mr. WATSON in the chair.

Mr. TAWNEY. I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. SULZER. I object, unless the gentleman from Minnesota gives the gentleman from Florida half an hour. [Applause on the Democratic side.]

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. SULZER. I object.

The CHAIRMAN. The Clerk will read the bill.

The Clerk began the reading of the bill.

Mr. WILLIAMS. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Mississippi rise?

Mr. WILLIAMS. I will ask what page is the Clerk reading from?

The CHAIRMAN. Page 26.

Mr. WILLIAMS. I should like to have the Chair ask the Clerk if he is skipping at all in his reading?

Mr. TAWNEY. Regular order, Mr. Chairman.

Mr. WILLIAMS. Oh, I have the right to make this inquiry.

The CHAIRMAN. The Chair can not inform the gentleman from Mississippi about that. The presumption is that every officer of the House is performing his duty in accordance with the rules of the House, and all that the Chair can do is to direct the Clerk to be very careful in turning the pages, which the Chair has no doubt the Clerk has already done.

Mr. WILLIAMS. I asked the question for the reason that I have just been informed by a Member of the House—a Republican—that the Clerk did skip about a page. I did not notice it myself, but I should like to have the Chair tell the Clerk that it is not in order to skip in the reading.

The CHAIRMAN. The Chair has already instructed the Clerk.

The Clerk proceeded with the reading of the bill.

Mr. TAWNEY. I now renew my request that the further first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

Mr. WILLIAMS. Mr. Chairman, when the request was made before there was objection made by a Member of the House who is not now in his seat.

Mr. CLARK of Florida. I object.

The CHAIRMAN. Objection is made. The Clerk will read. The Clerk proceeded with the reading of the bill.

Mr. GRIGGS. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GRIGGS. I rise to ask unanimous consent to suspend the further reading of the bill and give the gentleman from Florida [Mr. CLARK] thirty minutes to address the committee.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the further first reading of the bill be dispensed with and that the gentleman from Florida [Mr. CLARK] be permitted to speak on the bill for a period of thirty minutes. Is there objection?

Mr. TAWNEY. I object.

Mr. SULZER. You take the responsibility. [Laughter.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BURKE of Pennsylvania having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, an-

nounced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 24991. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the Senate had passed without amendment bill (H. R. 14464) for the relief of Wiley Corbett.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON of Ohio. Mr. Speaker, I note that the river and harbor bill has just been reported from the Senate. I ask unanimous consent that the House nonconcur in the Senate amendments and ask for a conference.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the House nonconcur in the Senate amendments and ask for a conference on the river and harbor bill. Is there objection?

Mr. MANN. Mr. Speaker, is that in order when the committee rises informally?

The SPEAKER pro tempore. By unanimous consent, only. Is there objection?

There was no objection.

The SPEAKER pro tempore. If there be no objection, the Chair will appoint the conferees.

There was no objection.

The SPEAKER pro tempore appointed as conferees on the part of the House on the river and harbor bill Mr. BURTON of Ohio, Mr. DOVENER, and Mr. BANKHEAD.

SUNDY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. SULZER (when the Clerk had reached page 116 of the bill). Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SULZER. I ask unanimous consent that the further reading of the bill be dispensed with, and that the gentleman from Florida [Mr. CLARK] have thirty minutes to address the committee.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the further reading of the bill be dispensed with, and that the gentleman from Florida [Mr. CLARK] have thirty minutes to address the committee. Is there objection?

Mr. TAWNEY. I object.

The Clerk proceeded and finished the reading of the bill.

Mr. TAWNEY. Mr. Chairman, in submitting the sundry civil appropriation bill to the House for its consideration and passage I feel that it is my duty to call attention to some facts which tend to indicate the probable aggregate appropriation which will be made at this session of Congress. I do this in the hope that from now until the close of the session each individual Member may feel and realize the necessity of exercising the utmost care in the discharge of his duty as a Representative in respect to appropriations, and also for the purpose of preventing—what is now threatened—a larger aggregate of appropriations at this session of Congress than at any previous session in the history of the Government.

The responsibility for the appropriations which are passed by Congress does not rest upon the Committee on Appropriations alone. Our responsibility in this respect is an individual as well as a collective responsibility. Nor is it a party responsibility, for in respect to the appropriation of money by Congress for the expenditures of the Government there can be but one policy regardless of which political party is in control of Congress or in control of the Government, and that policy is the policy of economical expenditure of the public funds which should at all times obtain. Therefore, the representatives of both parties, whichever may be in control, should so act as not to make unnecessary appropriations or enlarge necessary appropriations beyond reasonable demands of the public service.

It is not possible at this time in the closing hours of the session to forecast with accuracy the total aggregate appropriations for the fiscal year 1908. We have, however, sufficient information to enable us to predict with some certainty that unless proposed increases in appropriations are not checked this session of Congress will, in the aggregate amount appropriated, exceed the aggregate appropriations of any previous session. The facts upon which this statement is based are presented, as I have before said, in the hope that both branches of Congress, as well as the conference committees of the two Houses now considering appropriation bills, may scrutinize more closely the necessities of the public service and the necessity of appropriating for specific objects than has been done thus far during this session.

I do this, Mr. Chairman, not in any spirit of criticism, but for the purpose of appealing to the membership of this House to aid in every way possible in keeping down the appropriations and to keep out of the appropriation bills unnecessary amounts, so that the record of this session at the end may not be what it now gives promise of being.

The Government of the United States is expending altogether too much money in performing functions that do not belong to it, in the doing of that which it does not devolve upon the Federal Government to do, but upon the States. Congress at this time is altogether too anxious to accept from the States the voluntary surrender of the exercise of rights reserved to the States and the exercise of which involves the expenditure of money. To this, more than to any other one thing, may be attributed the rapidly increasing demands upon the Federal Treasury and the increase in the aggregate of appropriations for civil expenses.

The total estimates for appropriations for all purposes for the fiscal year 1908, as submitted in the Book of Estimates at the beginning of this session, aggregate \$895,690,643.68. These regular estimates are exceeded in five of the annual supply bills which have passed the House, or have passed both Houses and are now in conference, by \$22,919,298.96. In addition to this the obligations created by legislation now pending between the two Houses in the river and harbor bill and the naval bill equal \$73,634,523. In addition to this we have supplemental estimates for the sundry civil expenses of the Government of \$13,000,000, making a total of \$1,005,244,468.64, which includes the amount of the annual estimates, or the permanent and annual appropriations, supplemental estimates, and obligations fixed by the river and harbor and naval bills, and by the supplemental sundry civil estimates. If we assume that the appropriations as finally passed will equal in the aggregate these estimates less 10 per cent, or if they carry only 90 per cent of the estimates, the amount appropriated would then be \$904,720,021.78, which would be more than has ever been appropriated at any session of Congress, in war or peace, since the beginning of our Government.

It is not possible at this time to estimate with certainty the revenues of the Government for the fiscal year 1908, for which we are now making these large appropriations; but taking the revenues of the current year and the increase in these revenues over the revenues of the last fiscal year, which were greater than ever before in any fiscal year, as a basis, it is fair to estimate that the revenues of the Government during the fiscal year 1908 will not greatly, if at all, exceed the sum of \$804,573,246. It will be seen, therefore, that if the several appropriation bills now under consideration are not materially reduced before they are finally passed, we must expect, and will have to take the consequences for, a deficit in our public expenditures, which deficit, under the estimates which I have made, may reach the sum of \$100,000,000.

It may be said that a part of these appropriations are reimbursable to the Treasury, notably the \$25,000,000 appropriation to carry on the work of constructing the isthmian canal. This I grant you, sir, is true, and to that extent this deficit would be reduced; but I want to call the attention of every Member of this House to the fact that in the statement I have just made I have not included appropriations which must be made, or that have been made, during this session for which no estimates have been submitted, but which appropriations are required and made necessary by the terms of the legislation which we have enacted at this session or will enact before the close of the session. There are several other reimbursable items, and there may be some permanent appropriations which may not be drawn upon during the next fiscal year; but, Mr. Chairman, the amount of the reimbursable items for which we are now appropriating may be offset by the additional amounts made necessary to meet the obligations created by laws which we have enacted and for which no estimates have been submitted at this session of Congress.

I feel confident that I am not overdrawing the situation as it presents itself to both Houses of Congress to-day. In fact, I have eliminated many items which at the end of this session I fear will be found in some of the appropriation bills when they are approved by the Chief Executive. I therefore appeal to the patriotic sense of duty of every Member of this House to do what he can to aid in keeping down the aggregate of our appropriations to the extent that it is consistent with the best interests of the public service to do so.

In this connection I want to call attention to another fact. The aggregate amount carried by the regular annual appropriation bills coming from the Committee on Appropriation, namely, the District of Columbia appropriation bill, the fortifications, the legislative, the pension, and the sundry civil appropriation

bills, is \$228,330,021.00, as reported to the House. The regular estimates submitted to Congress at the beginning of the session for these various Departments and purposes, carried in these bills, was in the aggregate \$297,413,438.48. In other words, the bills as reported out of the Committee on Appropriations reduced the estimates \$9,083,416.74. The other eight regular annual appropriation bills, namely, the agricultural, Army, diplomatic and consular, Indian, Military Academy, naval, post-office, and river and harbor, as reported to the House from the committees having them in charge, carried appropriations aggregating \$434,634,340.02. The regular annual estimates for these bills as submitted to Congress at the beginning of the session aggregated \$448,390,825.28, or \$13,656,545.26 more than the amount the bills carried as they were reported to the House. So far as the House is concerned, in dealing with the estimates submitted to Congress, I maintain that we have a very creditable record. Most of the reductions, however, in the bills last named are on account of the large reduction in the naval appropriation bill and also a reduction in the Army appropriation bill, both of which bills notwithstanding carry very large authorizations for the expenditure of money, part of which must be met during the fiscal year 1908.

In conclusion, Mr. Chairman, let us hope that when the final record of this session is made up the appropriations will not aggregate the amount which present conditions indicate, and that they will be within the revenues of the Government.

In respect to the bill under consideration, the subcommittee has spent over four weeks in its consideration and in analyzing the estimates for the sundry civil expenses during the fiscal year 1908. The estimates submitted aggregate \$114,094,517. The bill carries \$103,872,540.63. This includes \$24,979,000 toward the construction of the Panama Canal and is reimbursable to the Treasury of the United States, so that the net amount carried which will be a charge against the revenues of the Government for the fiscal year 1908 aggregates \$78,993,540.23, which is very considerably less than the current sundry civil appropriation bill.

I shall not at this time occupy the time or attention of the House in discussing the details of the bill. The bill your committee has reported to the House we believe to be as free from objections as it is possible to make a bill of this magnitude. Your committee has given the utmost care and scrutiny to all of the estimates and the most careful consideration to every project proposed. The sundry civil bill, unlike all the other appropriation bills, except the river and harbor bill, is practically a new bill every year. It provides for new service, it provides for new projects, and therefore requires more time, more attention, more scrutiny in its consideration than does any of the great appropriation bills. We have provided amply, I think, for every branch of the public service, notwithstanding the fact that we have reduced the estimates and recommend far less than has been estimated for the sundry civil expenses during the next fiscal year.

Mr. Chairman, I do not care to occupy any more time, and I yield to my colleague on the committee, the gentleman from Alabama [Mr. TAYLOR], such time as he may desire for any personal statement he may wish to make, and reserve the balance of my time. [Applause.]

Mr. TAYLOR of Alabama rose.

The CHAIRMAN. The Chair will recognize the gentleman from Alabama.

Mr. SULZER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SULZER. I was going to ask for recognition. Nobody else seems to want to be recognized.

The CHAIRMAN. The gentleman from Alabama [Mr. TAYLOR] has been recognized by the Chair, and has the floor.

Mr. TAWNEY. Mr. Chairman, I yielded such time as the gentleman may desire for his personal explanation, and reserve the balance of the time.

The CHAIRMAN. The Chair so understood.

Mr. TAYLOR of Alabama. Mr. Chairman, I shall not attempt to review with the chairman of the committee the expenditures of this Congress nor the actions of other committees in charge of appropriations other than those of the Committee on Appropriations, of which I am a member. My remarks shall be confined entirely to this bill and appropriations for the sundry civil expenses of the Government for the current fiscal year. It will be found by an examination into the history of this particular bill that in 1887 practically \$23,000,000 was the amount of this bill. Ten years later, in 1897, \$33,000,000 was the amount of the bill, an increase of some 50 per cent in the ten years from 1887 until 1897. In the ten years from 1897 until now you will find that this bill to-day carries \$104,000,000, which is about three times as much, or 300 per cent increase in

the last ten years. This bill is purely a business bill. There is not a particle of politics in the bill which is now before the House that I can find. It was practically agreed upon unanimously by the subcommittee, after a most careful investigation into every item of which it is composed. There were differences among us, but those differences simply inquired into what was the best to be done under the circumstances with every individual item, so when it was brought into the general, or full, committee the same almost practical unanimity was found there. There are not a half dozen points of difference between the subcommittee and the full committee on all the great and various items that are comprehended in this bill. For that reason, and because it comprehends such a variety of detail, I will not attempt to go into any of the questions that divided the committee, either in the subcommittee or in the whole committee, except to say that they are confined to three or four questions, such as the investigation of the conditions surrounding woman and child labor, the transportation of silver coin, and reductions in the work of the Geological Survey. I apprehend you will find that these reductions will be the most serious question debated in the further consideration of this bill. The size of this bill, so far as I can see, only demonstrates the size of this country and the great increase in our business.

I am ready, so far as I am personally concerned, Mr. Chairman, to proceed with the consideration of the bill under the five-minute rule.

Mr. TAWNEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WARSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 25745, and had directed him to report that it had come to no resolution thereon.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the naval appropriation bill with Senate amendments, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the naval appropriation bill, to disagree to the Senate amendments, and ask for a conference.

Mr. CLARK of Florida. What bill is that?

The SPEAKER. The naval appropriation bill.

Mr. WILLIAMS rose.

Mr. FOSS. Mr. Speaker, I wish to say I have conferred with the leading minority Member [Mr. MEYER], and this action is agreeable to him.

Mr. WILLIAMS. All right, I have no objection; but I did not happen to see any of the minority Members of the committee in their seats.

The SPEAKER. The Chair will announce the following conferees.

The Clerk read as follows:

Mr. FOSS, Mr. LOUDENSLAGER, and Mr. MEYER.

UNITED STATES COURT, DISTRICT OF SOUTH CAROLINA.

The SPEAKER laid before the House the bill (H. R. 22334), to amend an act to regulate the sitting of the United States courts within the district of South Carolina, with Senate amendments.

The Senate amendments were read.

Mr. JENKINS. Mr. Speaker, I move that the House agree to the Senate amendments.

The question was taken; and the Senate amendments were agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. TAWNEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 25745), and pending that motion I move that general debate on the bill be closed, and upon that motion I ask for the previous question.

Mr. SULZER. I object, Mr. Speaker.

The SPEAKER. The gentleman from Minnesota [Mr. TAWNEY] moves the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, and, pending that motion, moves that general debate be closed on that bill, and demands the previous question.

The question was taken; and there were on a division (demanded by Mr. WILLIAMS)—ayes 161, noes 41.

So the previous question was ordered.

The SPEAKER. The question is on the motion that general debate on the bill be closed.

The question was taken; and there were on a division (demanded by Mr. SULZER)—ayes 165, noes 47.

Mr. CLARK of Florida. Mr. Speaker, I demand the yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER. Fifteen gentlemen have arisen, not a sufficient number, and the yeas and nays are refused. The question is on the motion of the gentleman from Minnesota [Mr. TAWNEY] that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill.

The question was taken; and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, with Mr. WARSON in the chair.

Mr. TAWNEY. Mr. Chairman, I ask that the Clerk proceed with the reading of the bill.

The CHAIRMAN. General debate has been closed, and the Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Alexandria, Minn., post-office: For site and for completion of building under present limit, \$15,000.

Mr. SULZER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. SULZER. Mr. Chairman, my purpose in making this motion at this time is to call the attention of the House to the fact that this morning when this bill was taken up I asked that the gentleman from Florida [Mr. CLARK] might have thirty minutes in which to discuss a question of great public moment concerning the long-delayed reports on the investigation of the St. Elizabeth Insane Asylum. The gentleman from Minnesota [Mr. TAWNEY] in charge of the bill refused to grant my colleague on this side of the House the brief time of thirty minutes to discuss something he has been studying for over a year, and the reports regarding that investigation only came in the other day.

Mr. PAYNE. Mr. Chairman, I make the point of order that the gentleman is not talking to his motion.

The CHAIRMAN. The Chair, up to this time, sustains the point of order. The gentleman will please confine himself to the paragraph.

Mr. SULZER. Mr. Chairman, how many more minutes have I left?

The CHAIRMAN. The gentleman has four minutes remaining in which to discuss the paragraph.

Mr. SULZER. Mr. Chairman, I would like the gentleman from Minnesota [Mr. TAWNEY] to give me a little information regarding the paragraph under discussion, if he can.

Mr. TAWNEY. If the gentleman from New York is competent to state what information he wants, I can tell him whether I can give it to him or not.

Mr. SULZER. I notice this post-office is in the gentleman's State. What I wish to know is this: For what purpose is this additional \$50,000 required?

Mr. TAWNEY. To build a post-office that Congress authorized at the last session of Congress.

Mr. SULZER. Exactly; and now I would like to inquire whether the gentleman has appropriated the necessary money in this bill to build all other post-offices in this country which the Congress has authorized?

Mr. TAWNEY. We have—

Mr. SULZER. I think the gentleman is in error. How about New York?

Mr. TAWNEY. If Congress has authorized it.

Mr. SULZER. Yes; Congress has authorized the new post-office for New York City, and as yet not a dollar has been appropriated to begin putting up the building. It is the old story. The gentleman has been good to his own State [laughter], but has been very economical to other States, and has done nothing for New York City. By reason of the gentleman's obstinacy four hours of the time of the House have been wasted because the gentleman would not give a Member of this House thirty minutes on an important question.

Mr. PAYNE. I make the point of order—

Mr. SULZER (continuing). If the gentleman desires to continue, I doubt if he can get this bill through the House for several days to come. I think it is quite remarkable that the gentleman has, right at the very head [laughter] of this bill, an appropriation of \$15,000 for the completion of a post-office in Minnesota. But if you will turn over to New York, you will find there is nothing in it for New York City, and that city pays more money into the Post-Office Department every year

than any other ten post-offices in the United States. There is no place in this country where post-office facilities have been so crippled by reason of the neglect of proper legislation as in the great city of New York. It is not fair; it is not just; and I want to call the attention of the House to the matter now, just as I did a few moments ago call the attention of the House to the fact that the gentleman from Minnesota has wasted four hours of our time here to-day simply because he would not consent to give one of our Members thirty minutes to discuss a most important question.

Now, Mr. Chairman, when we reach the city of New York I shall offer an amendment and have something more to say about the urgent needs of the post-office there, and I hope that gentlemen on that side of the House who represent the city of New York will stand up in their places and explain why in this appropriation bill there is no provision for building the new post-office in New York City heretofore authorized by Congress, whereas if you take this bill you will find that at the very head of the second page \$15,000 is appropriated to build a post-office away out in Minnesota. Now, what is sauce for the goose ought to be sauce for the gander—New York should be treated as fairly as Minnesota—and I am going to see to it if I can that the gander gets as much of the sauce as the goose. [Laughter.]

The Clerk read as follows:

For rental of temporary quarters for the accommodation of certain Government officials at Cedar Rapids, Iowa, \$3,000; and the provision of the act approved June 30, 1906, making appropriations for the sundry civil expenses of the Government, which provides that all expenses incident to the occupancy of the building in question shall be paid from the sum of \$10,000 then appropriated for rent of temporary quarters at Cedar Rapids, Iowa, is hereby repealed.

Mr. CLARK of Florida. Mr. Chairman, I desire to make the point of order on page 5, beginning at line 5, down to and including line 13. I make the point of order that the whole paragraph is new legislation.

The CHAIRMAN. The gentleman makes the point of order that this paragraph is new legislation.

Mr. SMITH of Iowa. May I ask the gentleman whether he makes the point of order against the appropriation or the repealing clause?

Mr. CLARK of Florida. I make it as to the whole paragraph, from line 5 down to and including line 13. That certainly comes within the rule.

Mr. SMITH of Iowa. Mr. Chairman, the committee concedes the point of order, and I offer the following amendment.

The CHAIRMAN. The Chair sustains the point of order, and the gentleman offers the following amendment.

The Clerk read as follows:

On page 5, after line 4, insert:

"For rental of temporary quarters for the accommodation of certain Government officials at Cedar Rapids, Iowa, \$3,000."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. CLARK of Florida. I renew the point of order as to the amendment offered by the gentleman from Iowa, for the same reason.

The CHAIRMAN. "For rental of temporary quarters for the accommodation of certain Government officials at Cedar Rapids, Iowa." Is there a previous authorization?

Mr. SMITH of Iowa. Mr. Chairman, I simply want to state the facts. The city of Cedar Rapids is in the district represented by my colleague [Mr. COUSINS]. A bill was passed providing for the complete reconstruction of the Government building, and consequently the officers had to be moved out of the Government building. Last year the bill carried \$10,000 to pay for these temporary quarters that are occupied by the Government under a lease of this building furnished by these individuals, and this is simply a continuation of the appropriation for the current fiscal year.

The CHAIRMAN. Under the statement of the gentleman from Iowa the Chair is clearly of the opinion that this is not subject to the point of order, and therefore overrules the point of order. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

The Secretary of the Treasury is hereby authorized and directed to expend from the appropriation heretofore made for the United States post-office building at Clarinda, Iowa, not to exceed the sum of \$5,000 for the purpose of securing a suitable site for said building.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order to the language on page 6, beginning with line 5, down to and including line 9. It is new legislation. It seeks to divert funds heretofore appropriated for the construction of a public building, or part of the fund, for the purchase of a site for the

public building. It is entirely new legislation, and I make the point of order.

The CHAIRMAN. The gentleman from Florida makes the point of order as to all that portion of the bill on page 6 between lines 5 and 9, inclusive. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. HEPBURN. Mr. Chairman, at the last session of Congress an appropriation of \$10,000 was made for the purpose of beginning the erection of a building at this place. This is simply a limitation upon that appropriation, no more. It is not a change of existing law, further than that it limits the use of that appropriation.

The CHAIRMAN. The Chair would like to ask the gentleman from Iowa what, if any, provision was made in regard to the purchase of a site in the authorization of a year ago?

Mr. HEPBURN. There was no provision made.

Mr. TAWNEY. The proposition is to divert \$5,000 of the aggregate amount authorized and make it applicable for the purchase of a site upon which the building is to be erected.

The CHAIRMAN. What was authorized a year ago?

Mr. TAWNEY. The construction of a post-office at this place, at a limit of cost of \$40,000.

The CHAIRMAN. Including both building and site?

Mr. TAWNEY. There was nothing mentioned in regard to the site.

The CHAIRMAN. Nothing whatever?

Mr. TAWNEY. I understand from the gentleman from Iowa that the proposition was that the site was to be donated by the people in the city of Clarinda. That is not now possible, and this proposition involves the diversion of \$5,000 of the amount originally appropriated for the purchase of the site upon which to erect the building that has been authorized. It does not involve any increase in the appropriation at all. No site was included heretofore.

The CHAIRMAN. The Chair would like to ask the gentleman from Iowa whether or not the Secretary of the Treasury is directed by this section to do something that he can not now do under existing law and under the present authorization?

Mr. HEPBURN. Yes, sir.

The CHAIRMAN. Does or does not the gentleman from Iowa regard that as a change of existing law?

Mr. HEPBURN. I think that it is a change of existing law and would be subject to this rule but for the fact that there has been an appropriation of money. Now, I understand that a direction as to the particular use of that appropriation is simply a limitation upon it and has not been under the ruling of the Chair heretofore regarded as obnoxious to this rule.

The CHAIRMAN. The Chair understands that in a negative direction this would undoubtedly be a limitation on the appropriation, but here seems to the Chair to be something of an affirmative direction to the Secretary of the Treasury to do something that he can not now do under existing law. However, the Chair thinks it is a very close question, having examined it in another matter on this bill.

Mr. CLARK of Florida. Mr. Chairman, just a word on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Florida, if the gentleman from Iowa has concluded.

Mr. CLARK of Florida. I just simply desire to say this: From the statement of the gentleman from Minnesota and of the gentleman from Iowa it appears that a previous Congress appropriated a sufficient amount of money for the construction of a public building. The law making that appropriation is in force to-day. Now it is sought by this legislation to divert a part of that fund, created under this former act, from the purpose for which it was intended. Therefore it unquestionably becomes a change of existing law. As the Chair very properly remarked, the Secretary of the Treasury has not the power under the existing law to divert this sum for the purchase of a site, and it is essential that another act be passed so changing the law as to give him the power, and unquestionably it is a change of existing law.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard further?

Mr. HEPBURN. No, sir.

The CHAIRMAN. Or the chairman of the committee?

Mr. TAWNEY. I do not.

The CHAIRMAN. The authorization of a year ago contains the following language, in section 7:

Provided, That in each of the cities mentioned in this section a suitable site, satisfactory to the Secretary of the Treasury, is sold to the United States at a cost not to exceed the sum of \$1.

And then follows a list of the post-offices to be constructed under those circumstances, the sites being practically donated by the city. The United States post-office at Clarinda, Iowa, was

one of the post-offices to be constructed on a site to be donated by the city of Clarinda, or to be obtained at the price of \$1.

Mr. CLARK of Florida. If the gentleman from Iowa will permit me just a moment, out of deference to my friend, I will withdraw the point of order in this case.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HOWELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 24925. An act making appropriation for the naval service for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 22338. An act to bridge Bayou Bartholomew in Louisiana.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 5290) providing for the allotment and distribution of Indian tribal funds, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLAPP, Mr. SUTHERLAND, and Mr. STONE as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment House concurrent resolution of the following title:

House concurrent resolution 56.

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House and the Secretary of the Senate are hereby authorized and directed to permit JACOB RUPPERT, Jr., to affix his name as one of the managers of the conference on the disagreeing votes of the two Houses on the bill S. 4403, "An act to regulate the immigration of aliens into the United States," approved March 3, 1903.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Houston, Tex., post-office and court-house: For continuation of building under present limit, \$100,000; and the Secretary of the Treasury is hereby authorized to enter into contracts for the construction and completion of the building at a total cost not to exceed \$200,000, including the sums herein and heretofore appropriated, but exclusive of the cost of site.

Mr. TAWNEY. Mr. Chairman, I offer the following amendment to that paragraph. It is a misprint. The word "including" in line 21, should read "in addition to."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 12, line 21, strike out the word "including" and insert the words "in addition to."

The amendment was agreed to.

The Clerk read as follows:

Mason City, Iowa, post-office: For completion of building under present limit, \$50,000.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Mason City, Iowa, post-office: For additional land, \$500.

The amendment was agreed to.

The Clerk read as follows:

New Orleans, La., post-office and court-house: For continuation of building under present limit, \$250,000; and the Secretary of the Treasury is hereby authorized to enter into contracts for the construction and completion of the building, at a total cost not to exceed \$850,000, exclusive of the sums herein and heretofore appropriated, but exclusive of the cost of site.

Mr. MANN. Mr. Chairman, I reserve the point of order to get an explanation. I notice a number of items of this kind where the bill authorizes the letting of contracts. Why is not this covered in the public-building bill?

Mr. TAWNEY. I will say to the gentleman that there are just four cases.

Mr. MANN. This is the fourth case and there is another one. There are cases at Richmond, New Orleans, Houston, Atlanta, and Johnson City.

Mr. TAWNEY. This is an authorization carried in the last public-building bill, but the limit of cost fixed by that bill in these cases was not specifically stated in all of the four cases. Perhaps the purpose was to make it appear that the public-building bill carried a less amount than appeared on the surface.

Mr. MANN. I would like to ask if this meets with the approval of the gentleman from Missouri, the chairman of the Committee on Public Buildings and Grounds, who announced a

few days ago that he was not going to let the Committee on Appropriations usurp the functions of his committee.

Mr. BARTHOLDT. Mr. Chairman, I wish to say that this paragraph is clearly in order, because it is authorized in the last public-building bill.

Mr. MANN. It is not in order as far as that is concerned. If it is in order, it has no place in the bill.

Mr. BARTHOLDT. Yes; it has a place in the bill for this reason; because this is the only bill which makes appropriation, while the bill which the Committee on Public Buildings and Grounds prepares only authorizes expenditures. In that bill we carried a total amount of \$1,300,000 for New Orleans, and the exact amount was appropriated in the last sundry civil bill; and this is an additional amount, so that the Supervising Architect of the Treasury Department can go ahead and contract for the completion of the building.

Mr. MANN. The public-building bill is the bill that carries the authority to the Secretary of the Treasury to enter into contracts. This bill carries the appropriation, but in this item it carries both the appropriation and the authority to enter into the contract. So I say that it is usurping the functions of the Committee on Public Buildings and Grounds, which the gentleman announced to us he would not permit the committee to do.

Mr. BARTHOLDT. The authorization was carried in the last bill.

Mr. MANN. What is the object of putting it into this bill and leaving it out of the other item?

Mr. BARTHOLDT. It was necessary to repeat the phraseology of the bill providing for the public building passed at the last session.

Mr. MANN. Does the gentleman mean to tell the committee that in this specific item it is necessary to repeat the phraseology of the public-building bill and is not necessary to repeat it on each of the other items identically alike as far as public buildings are concerned?

Mr. BARTHOLDT. No; but if the gentleman will investigate, he will find that they are not alike, for the reason that in all the other items the total amount, the total limited cost, was fixed in the bill.

Mr. MANN. Mr. Chairman, in view of the lucid and clear explanation of the gentleman from Missouri, which nobody understands, I withdraw the point of order. [Laughter.]

The Clerk read as follows:

New York, N. Y., assay office: For continuation of the enlargement, extension, remodeling, or improvement of building under present limit, \$150,000.

Mr. SULZER. Mr. Chairman, I offer the following amendment, to come in immediately after that paragraph.

The Clerk read as follows:

New York, N. Y., post-office: For continuing building of new post-office on site at East Thirty-fourth street, in the city of New York, \$1,000,000.

Mr. TAWNEY. Mr. Chairman, to that I make the point of order that the law does not authorize it.

Mr. SULZER. Mr. Chairman, I would like to be heard for a few moments. The point of order made by the gentleman from Minnesota may be correct, but I wish to call his attention to the fact that almost every one of the appropriations for these new post-office buildings, which I have not objected to, were also subject to a point of order.

Mr. TAWNEY. If the gentleman from New York will permit me—

Mr. SULZER. One moment. If the gentleman from Minnesota is going to insist on his point of order against the New York City post-office, the great distributing mail center of this country, the most important post-office in this country, then I shall be compelled to raise a point of order on every other single item in this bill. Now, Mr. Chairman—

Mr. TAWNEY. Mr. Chairman, will the gentleman now permit an interruption?

The CHAIRMAN. Will the gentleman yield?

Mr. SULZER. Certainly.

Mr. TAWNEY. What law is there that authorizes the construction of the post-office building in the city of New York?

Mr. SULZER. Mr. Chairman, I call the gentleman's attention to the act, which after years of struggle in the House we finally got through, to build the new post-office in the city of New York within the depot at the terminus of the Pennsylvania Railroad. We paid the Pennsylvania Railroad \$3,000,000 for the right in perpetuity to build this post-office within their new railroad depot, which is going to be the greatest depot in the world—

Mr. TAWNEY. Will the gentleman permit another interruption? That authority was for the purchase of the site.

Mr. SULZER. The Government bought the site.

Mr. TAWNEY. I am asking the gentleman what legislative

authority there exists to-day for the construction of the building.

Mr. SULZER. Absolutely none. That is the reason I am offering this amendment.

Mr. TAWNEY. And that is the reason I make the point of order.

Mr. SULZER. I want to say that the Pennsylvania Railroad Company is now constructing this depot, and it is incumbent upon the Government to construct within the depot this new post-office.

Mr. TAWNEY. Will the gentleman permit another interruption?

Mr. SULZER. Certainly.

Mr. TAWNEY. Did the gentleman from New York call upon the committee or any member of the Committee on Appropriations—

Mr. SULZER. I did not.

Mr. TAWNEY. And request that this or any other item in respect to the construction of the post-office in New York should be carried in this bill?

Mr. SULZER. I did not, because I knew it was useless, but I did think that certain Republican Members from the city of New York, especially a distinguished Republican [Mr. LITTAUER] on the committee from the State of New York, after all that has been printed in the newspapers concerning this new post-office, and after all the petitions which were poured into this House regarding the matter, would surely have seen to it that the money was appropriated for this new post-office; but be that as it may—

Mr. TAWNEY. Will the gentleman permit another interruption?

Mr. SULZER. Certainly.

Mr. TAWNEY. In justice to his colleague on the Committee on Appropriations, the gentleman ought also to state that the Committee on Appropriations is not a legislative committee.

Mr. SULZER. That is my point. Then why are we legislating in this bill?

Mr. TAWNEY. And had the gentleman's colleague on the committee secured the money for the construction of this building, it would have been in violation of law and would have gone out on a point of order.

The CHAIRMAN. A point of order has been made—

Mr. SULZER. This is a very important matter—not to me personally, because I get my mail down town [laughter], but I am talking now for the Representatives uptown and their constituents.

The CHAIRMAN. The Chair desires to state to the gentleman from New York the parliamentary status. The point of order has been made.

Mr. SULZER. So I understand.

The CHAIRMAN. And therefore it is incumbent on the Chair to rule.

Mr. SULZER. I ask the gentleman to reserve his point of order for a minute.

The CHAIRMAN. Does the gentleman consent to reserve his point of order?

Mr. TAWNEY. I have made the point of order.

The CHAIRMAN. The gentleman has made the point of order.

Mr. SULZER. But he can reserve it.

The CHAIRMAN. And the Chair is compelled to rule, and the Chair sustains the point of order.

Mr. SULZER. But the gentleman can reserve his point of order.

Mr. TAWNEY. How much time does the gentleman want?

Mr. SULZER. Oh, say two minutes.

Mr. TAWNEY. I reserve the point of order in order that the gentleman may speak for two minutes on the construction of the post-office in New York not authorized by law.

The CHAIRMAN. It is somewhat irregular, but the gentleman is recognized for two minutes.

Mr. SULZER. Mr. Chairman, just a word in answer to what the gentleman from Minnesota [Mr. TAWNEY] has said about an appropriation not authorized by law. No doubt he is aware of one hundred or more items in this bill which are subject to points of order and are not authorized by law.

Mr. TAWNEY. He is not aware of that, and it is not the fact.

Mr. SULZER. Now, I have only got two minutes. The gentleman gave me only two minutes, and I hope he will not deprive me of any of that time. I am talking here for the Government. The Government is interested in this matter. If the Pennsylvania Railroad Company goes on and builds the new depot and the Government does not build the new post-office within it while this other work is going on, it may cost the Government

three and maybe five times more money hereafter to do it than it would cost if we would appropriate it now. It was suggested on the floor of this House, and it was understood by Congress and the Secretary of the Treasury, that just as soon as the Pennsylvania Railroad began to construct its depot in the city of New York the Government would immediately begin the construction of the new post-office within that depot.

Now, Mr. Chairman, Congress is not keeping faith with the city of New York; it is not keeping faith with the Secretary of the Treasury; it is breaking faith under the act of this Congress with the Pennsylvania Railroad Company. Now, every Member from the city of New York is aware of the fact that there is nothing so important to the citizens of New York City and the people of this country as the quick distribution of the mails. Nearly all foreign mails come to New York City and are distributed from there. More than a quarter of all the mails of the United States in one way or the other come to New York and are distributed from there to the ends of the earth, and that can not be done expeditiously without proper facilities, and the post-office in New York City has not now the facilities to do it. That is all there is to it. The Republicans must take the responsibility for this delay, for this breach of faith, for this deplorable condition of postal affairs and facilities in the city of New York.

The CHAIRMAN. The time of the gentleman has expired. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

Niagara Falls, N. Y., post-office: For completion of building under present limit, \$36,250.

Mr. BENNET of New York. Mr. Chairman, I move to strike out the last word for the purpose of making a very brief statement. My colleague from New York City [Mr. SULZER] very correctly says that the completion of this new post-office is of great importance to those of us who live uptown in New York City. We paid \$1,000,000, not \$3,000,000, to the Pennsylvania Railroad for the site. If we have an appropriation this year of \$1,000,000, we could not use it, and I want to say to my friend from New York—

Mr. SULZER. My friend is mistaken about the price.

Mr. BENNET of New York. When we come here to Congress for an appropriation for that purpose we want a great deal more than a million dollars.

Mr. SULZER. What I am asking for now would be a good starter.

Mr. BENNET of New York. All we could use this year is \$100,000 for the supports on top of the work which the Pennsylvania Railroad Company is doing—

Mr. SULZER. Will the gentleman permit a question?

Mr. BENNET of New York. In just a moment. And before this Congress adjourns I think we will find a way to get that \$100,000, which is all the Treasury Department informs us we can use this year.

Mr. SULZER. I just want to ask my colleague, the gentleman from New York, if he is opposed to an appropriation now to begin the building of this new post-office?

Mr. BENNET of New York. When it is clearly insufficient; yes. I want \$5,000,000, not \$1,000,000.

Mr. SULZER. Does not my colleague think that one million now is enough with which to start? I understood him to say only \$100,000 can be spent this year, and that he wants \$5,000,000. My colleague is inconsistent.

Mr. BENNET of New York. We would like to get that and the five million afterwards.

Mr. SULZER. Does the gentleman think he can get five million from this Congress?

Mr. BENNET of New York. We do not want it.

Mr. SULZER. Then I understand my friend does not want anything for the new post-office from this Congress?

Mr. BENNET of New York. We want \$100,000.

Mr. SULZER. What assurance can the gentleman give that New York City will get even that \$100,000 for the new post-office?

Mr. BENNET of New York. You watch us. [Laughter.]

Mr. SULZER. You need watching. [Laughter.]

The CHAIRMAN. The pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

North Adams, Mass., post-office: For site and for continuation of building under present limit, \$50,000.

Mr. SULZER. Mr. Chairman, I make the point of order against that paragraph in regard to North Adams.

The CHAIRMAN. What is the point of order?

Mr. SULZER. That it is new legislation.

Mr. LAWRENCE. Mr. Chairman, the public-building bill passed at the last session of Congress contained an authorization

of \$115,000 for a site and building at North Adams, Mass. The sundry civil bill passed during the same session appropriated \$40,000 under that authorization. The pending item appropriates \$50,000 more under the authorization contained in the public-building bill to which I have referred, and is clearly within the law.

Mr. SULZER. I would like to ask the gentleman if the site has been purchased?

Mr. LAWRENCE. The Government has selected the site.

Mr. SULZER. But the site has not been purchased?

Mr. LAWRENCE. The title has not been passed.

Mr. SULZER. That is the point I desire to make. Money is appropriated for a building long before a site for it has been selected.

How intensely absurd it all is when we consider New York City has a site and can not get the money for the building.

Mr. LAWRENCE. I will say to the gentleman that the site has been selected, and all that remains to be done is to perfect the title. As soon as that is done the Government will go on with the construction of the building. An additional appropriation is therefore necessary. It is clearly within the existing law. I do not care to argue it further.

The CHAIRMAN. The Chair is prepared to rule.

Mr. SULZER. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

Paris, Ill., post-office: For site, and for continuation of building under present limit, \$30,000.

Mr. SULZER. A point of order, Mr. Chairman. I desire to ask the chairman of the committee if this appropriation was authorized in the public-building bill?

Mr. TAWNEY. What building is it?

Mr. SULZER. The Clerk will inform the gentleman.

The CHAIRMAN. The point of order has been made by the gentleman from New York [Mr. SULZER] against lines 20 and 21 on page 20, the post-office at Paris, Ill.

Mr. TAWNEY. That building was authorized by the last public-building act.

Mr. SULZER. I would like to ask the gentleman if he knows whether the site has been selected.

Mr. TAWNEY. I can tell the gentleman.

Mr. JAMES. What is the item that the point of order is made to—Paris, Ky.? [Laughter.]

The CHAIRMAN. Paris, Ill.

Mr. TAWNEY. The site had not been purchased at the time we had the hearings, but the Supervising Architect informed the committee that the negotiations were almost completed and will be before the expiration of this session of Congress.

Mr. SULZER. Mr. Chairman—

Mr. TAWNEY. And the amount estimated is the amount that can be expended during the fiscal year 1908 in the construction of the building.

Mr. SULZER. Mr. Chairman, what the gentleman has just said bears out most conclusively all I have said in criticism of this kind of legislation. We are appropriating money here in every paragraph for new post-offices in cities, towns, and villages all over the country where the site has not even been selected, and in New York City, where the site was selected several years ago, we do not appropriate a dollar for the new post-office building.

The CHAIRMAN. The Chair is ready to rule.

Mr. SULZER. That is the commentary I desire to make upon this matter, and I intend to go on making the same commentary, notwithstanding the assurance of my colleague from New York [Mr. BENNET] that he is sure he is going to get a wee little bit of a hundred thousand dollars for a new post-office in the great city of New York. I withdraw the point of order. [Laughter.]

The Clerk read as follows:

Portland, Me., court-house: For continuation of building under present limit, \$125,000; and the appropriation of \$25,000 for the post-office at Portland, Me., made in the sundry civil appropriation act for the fiscal year 1907, is hereby made available for the court-house in said city.

Mr. SULZER. A point of order, Mr. Chairman.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. SULZER. I make the point of order.

The CHAIRMAN. The Chair is ready to rule.

Mr. SULZER. It is a change of existing law.

The CHAIRMAN. Does the gentleman from Minnesota [Mr. TAWNEY] desire to be heard on the point of order?

Mr. TAWNEY. I will state the facts to the Chair. The last public-building bill authorized the construction of a court-house at Portland, Me., fixing the limit of cost, and the Department sent the estimate up here at the closing hours of the session for all of the new buildings authorized in that act, and instead

of using the language of the act—that is, the word “court-house”—they used the word “post-office.” The appropriation, therefore, is unavailable for the construction of the court-house for the reason that the money was appropriated for a post-office. It is simply to change—

Mr. MANN. Is it the same authorization?

Mr. TAWNEY. Identically the same authorization.

Mr. MANN. The same building?

Mr. TAWNEY. And it is the same building.

Mr. SULZER. I would like to say that under the rules the paragraph is clearly subject to a point of order, as it changes existing law, which can not be done under the rule on an appropriation bill.

The CHAIRMAN. The Chair desires to ask the gentleman from Minnesota [Mr. TAWNEY] whether or not the post-office in question was authorized by the act of a year ago?

Mr. TAWNEY. It was not. The authorization is for a court-house.

The CHAIRMAN. Was the court-house authorized?

Mr. TAWNEY. The court-house is authorized.

Mr. BARTHOLDT. If the gentleman will permit, I will say that the authorization was for the court-house.

The CHAIRMAN. The Chair desires to ask this question, Whether or not this is a reappropriation of an unexpended balance of a sum that was appropriated for a lawful object?

Mr. BARTHOLDT. If the gentleman will permit me, I can state the facts. The public-building act made an appropriation for a court-house, but in making the appropriations in the sundry civil bill the building was designated as a post-office instead of as a court-house, and this is simply to correct the error.

The CHAIRMAN. Does the gentleman desire to be heard further on the point of order?

Mr. SULZER. I trust the Chair is not in doubt about the matter?

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

Provo, Utah, post-office: For site and for completion of building under present limit, \$45,000.

Mr. SULZER. Mr. Chairman, I would like to ask the gentleman from Minnesota—

The CHAIRMAN. Does the gentleman move to strike out the last word?

Mr. SULZER. I move to strike out the last word for the purpose of making an inquiry. I desire to ask the gentleman from Minnesota if this post-office has been authorized by law?

Mr. SMITH of Iowa. It has been.

Mr. SULZER. Authorized?

Mr. SMITH of Iowa. Yes, sir.

The Clerk read as follows:

Rawlins, Wyo., post-office: For site and for continuation of building under present limit, \$40,000.

Mr. SULZER. I move to strike out the last word, for the purpose of making an inquiry. I would like to know from the gentleman from Minnesota if there is any law authorizing this appropriation?

The CHAIRMAN. The gentleman from New York moves to strike out the last word, and asks for information from the gentleman from Minnesota about line 14, page 22.

Mr. TAWNEY. That is authorized by existing law.

Mr. SULZER. I would like to ask the gentleman, then, if this site has been selected?

Mr. TAWNEY. If the gentleman will turn to page 52 of the hearings he will find what the Supervising Architect said in regard to it:

The site has been selected, and in order that building operations may be prosecuted with dispatch it is desired that an appropriation in the limit be made of \$40,000 instead of \$20,000 asked for in the estimates.

Mr. SULZER. I withdraw the pro forma amendment.

Mr. NORRIS. Mr. Chairman, I desire to ask the chairman of the committee a question that applies to the words that are here used and takes in nearly all of these items that we are considering for purchase of sites and continuation of buildings. I understand the sites have been purchased prior to this time, and why is it that the committee continues to use that language?

Mr. TAWNEY. Because it is the authorization in the public building act.

Mr. NORRIS. As a matter of fact, you can not use that language here for the particular appropriation in this bill for the purchase of the site.

Mr. TAWNEY. The purchase of the site has already been made. The site has been purchased, and this is not an authorization for the purchase of the site.

Mr. NORRIS. That states that.

Mr. TAWNEY. Site and building.

Mr. NORRIS. The site has been purchased under a prior

appropriation, and as a matter of fact if we undertook to appropriate any more money for site it would be subject to the point of order, as I take it, because it has already been purchased.

Mr. PAYNE. They could purchase an addition to the site.

Mr. NORRIS. Not if they have used the appropriation.

Mr. PAYNE. If the law authorizes the use of it for the purchase of site and to complete the building they are following the language of the original law.

Mr. TAWNEY. It is a title that is carried on the Treasury

books in connection with every one of these public buildings: “For site and construction of buildings.”

Mr. NORRIS. Even if that is true, it is not the intention to purchase any more site is it? Then if that is so, why should we appropriate money for the purpose of continuing purchases?

Mr. TAWNEY. We are not.

The Clerk read as follows:

Rochester, N. Y., court-house and post-office: For completion of extension of building under present limit, \$70,000.

Mr. GAINES of Tennessee. I move to strike out the last word for the purpose of making an inquiry. I should like to ask the gentleman from Minnesota who fixes the plans of these various buildings that we are putting up all over the United States?

Mr. TAWNEY. The Supervising Architect, and there are a great many of them.

Mr. GAINES of Tennessee. They are under the practical control of the Supervising Architect; I understand that. I know him very well, and I think very well of him; but my information has been—I can not just exactly tell where I got it, possibly from the newspapers—that in addition to having this splendid corps of architects in the Department, paid full salaries, kept in office all the time, that we employ outside architects at a large expense to the Government. Now, I myself investigated for the purpose of finding out whether or not that was true to any extent, and the result of that investigation, as well as I recollect, is that he did not have enough architects down there to do this immense work, and they did have a good deal of it done by outsiders at a large expense. Does the gentleman know about that; and if so, how much do we pay for architects outside of the regular architects we have?

Mr. TAWNEY. There are no architects planning or constructing any public building unless express authority for such employment is given; and it is rarely given—only in such cases as the construction of the post-office in Chicago, which is a very large building; otherwise the work is done by the Supervising Architect and the force of draftsmen and architects he has in the Department.

Mr. GAINES of Tennessee. Now, was there not another architect used for the new improvements at Annapolis?

Mr. TAWNEY. Well, that is true; but they are not being constructed by the Treasury Department; and I do not suppose that the Navy Department has a sufficient organization of that kind to enable them to prepare plans for buildings of that magnitude.

Mr. GAINES of Tennessee. Well, now, are not the men graduated at Annapolis sufficiently learned in the art of construction to put up such a building as that without going to outside architects?

Mr. TAWNEY. That is a subject on which I am not able to answer the gentleman. I have never gone into the question, and I do not know whether these men are learned in this profession.

Mr. GAINES of Tennessee. My information is that they are.

Mr. SMITH of Iowa. There is no course in architecture at Annapolis.

Mr. TAWNEY. I will ask the gentleman if he knows whether there is a course of architecture at Annapolis?

Mr. GAINES of Tennessee. Well, they know how to construct a ship.

Mr. TAWNEY. That remains to be seen.

Mr. GAINES of Tennessee. They have done it. A young man of the Navy from my district, Mr. John Rhum, helped to build the *Oregon*, and I think men who can construct a man-of-war like the *Oregon* can certainly construct a better building than we have at Annapolis.

Mr. CRUMPACKER. I understand the practice to be for the Supervising Architect to invite the submission of plans by local architects in the various parts of the country, because there is too much work for his office to do. I know that is the case in the district which I have the honor to represent, and these architects are paid such fees or compensation as the Supervising Architect designates. It is the common practice, because it is necessary. If the force in the office undertook to provide plans and to supervise the construction of all these buildings, it would require years and years to finish them.

Mr. GAINES of Tennessee. I agree with the gentleman on that. I was trying to get at the cost of these architects who are employed on the outside.

Mr. CRUMPACKER. I do not know what the cost is, but I know what the practice is. In Hammond, Ind., a plan submitted by a local architect was adopted and approved, and he has superintended the construction of the building, which cost \$140,000.

Mr. GAINES of Tennessee. My friend is a very versatile man. Can he tell us whether or not—

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. I move to strike out the last two words.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. MADDEN. I want to say for the information of the gentleman that the usual compensation allowed architects is 5 per cent on the cost of the work.

Mr. GAINES of Tennessee. Yes; I am sadly aware of that fact, because I know some of the fees we have been paying in these large undertakings—Annapolis being one and the renovation of the White House another. Does the gentleman know whether or not they teach young men sufficiently in architecture at Annapolis and West Point to enable them to be competent for such work?

Mr. MADDEN. They do not teach them architecture at all. They teach them engineering.

Mr. GAINES of Tennessee. I will tell you why I have asked you that question. I was told by a member of the Navy, a very accomplished gentleman, down at the hotel, when the question of paying these large fees to outside architects was up, I think, for the building of some structure at Annapolis or West Point, in the navy-yard at San Francisco, or one of our navy-yards—this gentleman said: "Mr. GAINES, our men are educated to do better work for the Government in erecting this building than any architect that ever lived. It is our business; we are taught that, and we know how to do it; but they will go along and put up these houses, and they will not do it as well or as cheaply as the very men the Government educates and maintains to do that business."

Mr. MADDEN. The duty of an engineer is to figure out the strength of a bridge or other structure.

Mr. GAINES of Tennessee. They do not stop at building bridges. Almost anybody can build a bridge. I have built them myself before I came to Congress and may have to do so again.

Mr. MADDEN. I have no doubt the gentleman built the bridge over which he came to Congress. [Laughter.]

Mr. GAINES of Tennessee. I did, and I will tell you now that it was a good one, and there was no trust-made material went into it, and by the Eternal there never will be. I have made several journeys across it, and I dare say it will hold up the man who succeeds me.

Now, I thank the House. I was trying to get a little information.

Mr. MADDEN. Did you make your bridge out of Tennessee lumber?

Mr. GAINES of Tennessee. Yes; and some hickory.

Mr. MADDEN. Will the gentleman tell us where the hickory came from? [Laughter.]

The CHAIRMAN. The time of the gentleman has expired. If there be no objection, the pro forma amendment will be considered as withdrawn and the Clerk will read.

The Clerk read as follows:

For rent of temporary quarters at Rochester, N. Y., including necessary moving expenses, \$8,000.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order against lines 15 to 17, inclusive, on page 23, the paragraph just read by the Clerk, that it is new legislation.

The CHAIRMAN. The gentleman makes the point of order on the paragraph from lines 15 to 17, on page 23. The Chair would like to be informed in regard to that.

Mr. TAWNEY. Mr. Chairman, this appropriation is for making repairs to the post-office or public building in the city of Rochester, and the rent of temporary quarters is necessary on account of the work being done in the extension or repairs to the present building and is authorized by law.

The CHAIRMAN. That is the point. Does the gentleman from Minnesota say that it is authorized by law?

Mr. CLARK of Florida. I would like to ask the gentleman if he means to say that the item "necessary moving expenses" is authorized by law?

Mr. TAWNEY. Yes; it is authorized by the general law. If it were not for the fact that this is a large amount to be expended in the repair of this building, much of it being made nec-

essary by the extension which has been practically completed, this item would have been carried under the general appropriation, and it would be entirely competent for the Department, under the existing law, to take so much of the appropriation as was necessary to defray the expenses of moving and also rent of quarters.

Mr. CLARK of Florida. The gentleman means that it is impliedly authorized; he does not mean to say it is expressly authorized.

The CHAIRMAN. The Chair desires to ask the gentleman from Minnesota whether or not the moving mentioned in the item is authorized?

Mr. TAWNEY. It is.

The CHAIRMAN. If the moving is authorized, in the opinion of the Chair, the necessity of it is authorized.

Mr. CLARK of Florida. I do not know myself, Mr. Chairman, what the law is.

Mr. TAWNEY. The reconstruction of the building, the extension of the building, was specifically authorized. Now, in consequence of making this extension, certain repairs of the old part of the building are necessary, which repairs could be paid for out of the general appropriation for repair and maintenance of public buildings.

Mr. CLARK of Florida. If the gentleman has the authorization, will he be kind enough to read the language?

Mr. TAWNEY. I have not the statute by me authorizing the extension of this building.

Mr. CLARK of Florida. I have never seen the law and if the gentleman has it I wish he would read the exact language to the committee.

The CHAIRMAN. The Chair desires to ask the gentleman from Minnesota whether or not the temporary quarters mentioned in line 15 was authorized by law?

Mr. TAWNEY. It is; and I will say to the Chair—

The CHAIRMAN. Does the gentleman know what year?

Mr. TAWNEY. I do not know; but when the Supervising Architect was before the committee he was asked if the work could be done out of the general appropriation which is carried in this bill for repairs of all post-offices or public buildings, and he said it could. They had authority to expend the money and it was immaterial whether it was given in a lump sum or in the general appropriation, or segregated and appropriated for separately. So the committee, to avoid increasing the aggregate amount carried in the general appropriation, made specific appropriation for the repair of this building and the moving and rent of temporary quarters.

I have here the appropriation for rent, light, and fuel for the first, second, and third class post-offices, \$3,000,000. That is the appropriation out of which these repairs could be made if we had included that amount in the aggregate of the general appropriation; but to avoid increasing that aggregate so that the next fiscal year we would not be accused of cutting down the ordinary appropriation for repairs of buildings, we made, as in the last session of Congress, a specific appropriation for this particular item which is authorized under the general law.

The CHAIRMAN. The Chair is clearly of opinion that the point of order should be overruled, and the Clerk will read.

The Clerk read as follows:

For special repairs to the post-office at Rochester, N. Y., made necessary because of and incident to the extension of said building authorized in an act approved June 30, 1906, \$40,000.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order against the language contained on page 23, lines 18 to 21, inclusive.

The CHAIRMAN. What is the gentleman's point of order?

Mr. CLARK of Florida. It is a change in existing law.

Mr. OLMSTED. Mr. Chairman, that point has been ruled over and over again. This is for repairs of an existing building, a continuation of Government work in progress. You will find on page 348 of the Manual half a dozen precedents. It was held that the repair of a bridge built at Government expense was a continuation of a public work. It was held in the Fifty-sixth Congress that the construction of a bridge on a road in the District of Columbia was a continuation of a public work. It was held again, in the Fifty-eighth Congress, that an appropriation for the rent and repairs of a building used for the public service was a continuation of a public work. In the Fifty-sixth Congress an appropriation for the repairing of a saw-mill was held to be in continuation of a public work. The paragraph is clearly within the exception to the rule.

The CHAIRMAN. The Chair is well satisfied on the point, and overrules the point of order.

The Clerk read as follows:

Rockford, Ill., post-office: For additional land and for the completion of the enlargement, extension, remodeling, or improvement of building under present limit, \$15,000.

Mr. SULZER. Mr. Chairman, I make the point of order against that paragraph.

The CHAIRMAN. What is the point of order?

Mr. SULZER. New legislation—not authorized by law.

The CHAIRMAN. The Chair asks the gentleman from Minnesota whether or not there is an authorization for that?

Mr. TAWNEY. It is authorized by law.

Mr. SULZER. I would like to ask the gentleman where the law is authorizing the purchase of additional land?

Mr. TAWNEY. The gentleman will find it back there in the Congressional law library. [Laughter.]

Mr. SULZER. Indeed, but I do not find anything in the book of hearings in regard to it. As far as I can ascertain there was never any law passed authorizing the purchase of additional land. The site has been purchased, and this is new legislation because it calls for the purchase of additional land. That might go on ad infinitum until they could take up 20 or 30 acres.

The CHAIRMAN. The Chair calls the attention of the gentleman from New York to page 775 of the statutes of last year, section 3, "that the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation, or otherwise such additional land as he may deem necessary for the enlargement of the present site, and to enter into contracts for enlargement, extension, remodeling, or improvement of the following-named buildings within the respective limits of cost hereby fixed," and that the second item mentioned under that general authorization is the United States post-office at Rockford, Ill., \$25,000. It is clearly within the language of the statute and the Chair overrules the point of order.

Mr. SULZER. I withdraw the point of order.

The Clerk read as follows:

St. Louis, Mo., post-office: For additional land and for continuation of building under present limit, \$250,000.

Mr. CLARK of Florida. Mr. Chairman, I would like to inquire of the Chair if under the act which was just read to the gentleman from New York by the Chairman the city of St. Louis is included?

The CHAIRMAN. The Chair can tell by examination.

Mr. CLARK of Florida. I do not care to raise the point of order if it is included.

Mr. TAWNEY. I will say, Mr. Chairman, that it is authorized by law. The limit of cost is \$110,000. Five hundred and forty-seven thousand dollars has already been appropriated, and this is \$250,000 which is estimated can be expended in the next fiscal year on the building under the previous authorization.

Mr. CLARK of Florida. I am asking the chairman if there is any authorization for the purchase of more land for St. Louis.

Mr. BARTHOLOLT. Yes, Mr. Chairman; there is. The purchase of additional land has been authorized in the last public-building act.

Mr. CLARK of Florida. If the chairman of the Public Building Committee makes that statement, I will not press the point of order.

The CHAIRMAN. The Chair thinks that it would be good authority, inasmuch as the chairman of that committee lives in the city of St. Louis, and the Chair presumes looked after it. [Laughter.]

Mr. PAYNE. Mr. Chairman, I want to say on this point of order that it is clearly the duty of the gentleman raising the point of order to show that there is no existing law. It is not the business of the chairman to inform gentlemen who make points of order as to what the law is. It simply is delaying the action of the committee and, in view of what the gentleman from New York [Mr. SULZER] said a half hour ago, it looks a good deal like dilatory proceedings. I insist that the Chairman ought to overrule the points of order so long as the gentlemen fail to show that there is no authorization in the law for it. The presumption is in favor of the bill.

Mr. SULZER. Mr. Chairman, a parliamentary inquiry. What is before the House?

The CHAIRMAN. The gentleman from New York. [Laughter.]

Mr. PAYNE. My colleague is.

Mr. SULZER. Oh, everybody can see the gentleman from New York [Mr. PAYNE] when he arises.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sharon, Pa., post-office: For site and continuation of building under present limit, \$30,000.

Mr. SULZER. Mr. Chairman, I move to strike out the last word. I would like to inquire of the gentleman from Minnesota [Mr. TAWNEY] if this site for Sharon, Pa., has been purchased.

Mr. TAWNEY. I do not know.

Mr. SULZER. Well, the gentleman ought to know as chairman of the committee. Before he appropriates money for a building he ought to at least secure the site.

Mr. TAWNEY. It is not necessary for me to know. The purchase of the site was authorized and the construction of the building was authorized.

Mr. SULZER. And the gentleman is appropriating money for a building before he knows the site has been purchased. No wonder the gentleman lectured the House this morning about a two-billion dollar Congress—a deficit of one hundred million of dollars—appropriating money in that way. [Laughter.]

The Clerk read as follows:

Willimantic, Conn., post-office: For site and for completion of building under present limit, \$30,000.

Mr. SULZER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York.

Mr. SULZER. Mr. Chairman, I would like to ask the gentleman from Minnesota if this site has been secured. I call the gentleman's attention to Willimantic post-office, Conn., line 12, page 29.

Mr. TAWNEY. What is the name of the place?

Mr. SULZER. Has the site been purchased?

Mr. TAWNEY. Where?

Mr. SULZER. Willimantic, Conn.

Mr. TAWNEY. For the information only of the gentleman from New York I will read:

An agent has inspected the site, and it is probable that it can be secured in the near future. In order that work on the building may not be then delayed it will be necessary that the balance up to the limit be appropriated, \$30,000.

Mr. SULZER. Mr. Chairman, just a few words. I have no disposition to delay the progress of this bill by captiously discussing these matters. My purpose is to enlighten the country. [Laughter.] I want it understood by the people, and hence I call the attention of the House to the fact that the Appropriations Committee find fault with their own work and call this a "two billion-dollar Congress," yet in this very bill, reported unanimously from the Appropriations Committee, they appropriate millions and millions of dollars for public buildings where the site has not even been purchased.

Now, how ridiculous that is, and what a commentary it is upon what I was speaking about a few moments ago with regard to the great city of New York, where the Government has purchased a site, where the railroad company is building the depot, and the post-office is to be in the center of that depot, and the Committee on Appropriations allows the railroad to go on and put up its building and does not build within it, as provided by law, its own post-office, so that next year it will cost twice as much as it will cost this year. I bring these facts to the attention of the country—

Mr. TAWNEY. Will the gentleman permit?

Mr. SULZER. In one moment, if the gentleman pleases. So that when the newspapers ring the changes on this two-billion-dollar Congress the day after we adjourn the Republicans will have no excuse to offer to the people, because the taxpayers will stand up and say the gentleman from New York [Mr. SULZER] called your attention to this extravagance and you would not listen to him and heed.

The Clerk read as follows:

For Treasury building at Washington, D. C.: For repairs to Treasury, Butler, and Winder buildings, including personal services of skilled mechanics, \$18,000.

Mr. CLARK of Florida. Mr. Chairman, I make the point against the language, page 30, beginning lines 14 to 17, inclusive.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CLARK of Florida. It is new legislation and not authorized by law. I make this point, Mr. Chairman, and call your attention particularly to it. This paragraph uses this language: "For Treasury building at Washington, D. C.; for repairs to Treasury, Butler, and Winder buildings—" and now this is the particular language—"including personal services of skilled mechanics, \$18,000." I do not think that is provided for by existing law.

The CHAIRMAN (Mr. LAWRENCE). The Chair will state the rulings are practically uniform that repairs to public buildings are authorized by existing law and services of skilled mechanics are of course simply incidental thereto. The Chair overrules the point of order.

The Clerk read as follows:

For repair of the east front of the Treasury building, including substitution of granite for the soft stone used in said east front of the

building, the unexpended balance of \$155,147.42 of the appropriation made for "Treasury building, Washington, D. C., ventilation," is hereby authorized to be expended, together with the further sum of \$204,852.58, which is hereby appropriated.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order, page 30, line 18, down to and including line 2 on page 31, as being not authorized by law.

The CHAIRMAN. The Chair will hear the gentleman from Florida.

Mr. CLARK of Florida. This provision undertakes to substitute granite for soft stone used in the east front of the Treasury building. I take it that is not provided for by a provision of law; if so, there is no necessity of reenacting it here. Then, again, Mr. Chairman, the language following that undertakes to divert the unexpended balance of money appropriated for a particular purpose from that purpose to some other purpose. That is new law for which there is no provision, and I think clearly the point of order lies.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard upon the point of order?

Mr. TAWNEY. I do not.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

For the construction of suitable fireproof steel files for the safe-keeping of official bonds of officers of the Treasury and other Executive Departments for which the Secretary of the Treasury is responsible as custodian, \$3,500.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order to the language on page 31, beginning with line 3 and down to and including line 7, as being new legislation and not authorized by existing law. I do not care to discuss it.

The CHAIRMAN. The Chair would like to hear the gentleman from Minnesota [Mr. TAWNEY] on that point.

Mr. TAWNEY. These are files that are to take the place of the wooden files that are now in the Treasurer's office. It is a refurnishing. At the present time all the bonds in the office of the appointment division of the Treasury Department are filed in wooden cases, and it is to replace these for the purpose of giving greater security and greater protection, and also increasing the room for filing purposes.

The CHAIRMAN. On that statement the Chair overrules the point of order.

The Clerk read as follows:

For repairs and preservation of public buildings: Repairs, and preservation of custom-houses, court-houses, and post-offices, and quarantine stations, buildings and wharf at Sitka, Alaska, and the other public buildings and the grounds thereof, and of sites acquired for public buildings, under the control of the Treasury Department, and including not exceeding \$50,000 for marine hospitals, \$475,000: *Provided*, That of the sum hereby appropriated not exceeding \$45,000 may be used, in the discretion of the Secretary of the Treasury, in the employment, outside of the District of Columbia, of superintendents and others, including mechanical labor force, at a rate of compensation not exceeding for any one person \$6 per day.

Mr. SULZER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York.

Mr. SULZER. Mr. Chairman, Sitka was formerly the capital of the district of Alaska. Some time ago, however, Congress passed a law by which the capital of the district of Alaska could be removed at any time to Juneau, Alaska; and when a new governor was appointed recently by the President he moved the capital, in accordance with that provision of law, from Sitka to Juneau, and at the present time all the higher officials of the Government in Alaska are located at Juneau and not at Sitka, and Juneau is the capital of Alaska. I was at Sitka two years ago and looked over these buildings very carefully. They are a lot of old ramshackle buildings that no real-estate man, or no other purchaser, would pay \$500 for; and when the governor moved all the documents and papers from Sitka to Juneau he turned these old buildings over to the War Department to use for whatever purposes desired. And hence it is a waste of money now to repair or remodel or renovate those old buildings at Sitka, which have been there ever since the Government acquired title to the district of Alaska from Russia, away back in 1867. If this appropriation goes through, it is just so much money thrown away. These buildings, as I say, are not occupied to-day. The capital is no longer in Sitka, the buildings have been turned over to the War Department, and every dollar that this provision carries to repair them is just so much money wasted. The money should be spent for new Government buildings at Juneau. Sitka is dead. I trust that this paragraph will be stricken out, and I move, Mr. Chairman, to strike out the entire paragraph.

The CHAIRMAN. The gentleman from New York [Mr. SULZER] withdraws his pro forma amendment and moves that the paragraph be stricken out. The question is on the motion of the gentleman from New York.

The question was taken; and the amendment was rejected.

Mr. TAWNEY. Mr. Chairman, at this point I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 31, after line 25, insert:

"To enable the Secretary of the Treasury to acquire, by condemnation or otherwise, additional land adjoining the present site occupied by the Bureau of Engraving and Printing, and for the erection, completion, including heating and ventilating, of an addition to, or extension of, the buildings of the Bureau of Engraving and Printing, which shall conform architecturally in character and quality to the material used in the existing buildings of the said Bureau, \$150,000."

Mr. SULZER. Mr. Chairman, I make the point of order against that.

Mr. TAWNEY. Mr. Chairman, on the point of order I desire to say that this contemplates an enlargement of the Bureau of Engraving and Printing in the District of Columbia. The Bureau is very much crowded, and they are very much in need of room, as every Member of this House knows who has recently visited that building.

Mr. SULZER. Will the gentleman permit me to ask him a question?

The CHAIRMAN. Will the gentleman from Minnesota yield to the gentleman from New York?

Mr. TAWNEY. In just one minute. It is a public work, and I think it is clearly in order.

Mr. SULZER. I am glad to hear the gentleman say that the Bureau of Printing and Engraving is very much cramped. I think that was the word I used when talking about the postal facilities in the city of New York. It may be as the gentleman says, but I again recur to the New York City post-office and desire to inform the gentleman—

Mr. MANN. Mr. Chairman, I ask for a ruling.

Mr. SULZER. That the New York City post-office is also very badly cramped.

Mr. MANN. Mr. Chairman, I ask for a ruling.

Mr. SULZER. Mr. Chairman, I desire to say on the point of order that this is clearly new legislation and not authorized by law, and the gentleman should bring in the legislation in the proper way.

The CHAIRMAN (Mr. LAWRENCE). The Chair finds that the proposed amendment is for the purchase of land adjoining the site occupied by the present building, and for the extension of the present building. The Chair overrules the point of order.

The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

That in all cases, during the fiscal years 1907 and 1908, where any building or buildings not reserved by the vendor are on land heretofore acquired, or which may hereafter be acquired, for Federal building sites or for the enlargement of Federal building sites, the Secretary of the Treasury is hereby authorized, in his discretion, to rent such building or buildings until their removal becomes necessary and to make such repairs thereto as may be necessary to keep the buildings in tenable condition, payment to be made from the proceeds derived from the rentals; the net proceeds to be deposited in the Treasury of the United States, and a report thereof to be submitted to Congress annually.

Mr. SHERLEY. I desire to offer a new paragraph.

Mr. CLARK of Florida. I desire to make the point of order against the paragraph just read.

The CHAIRMAN. The gentleman from Florida makes the point of order.

Mr. CLARK of Florida. Against the paragraph just read—line 1 down to 13, inclusive, on page 32.

The CHAIRMAN. Now the Chair will ask the gentleman from Kentucky if he intended his amendment as a substitute for this paragraph, or does he wish to offer the amendment to be inserted at the end of page 31?

Mr. SHERLEY. I desire to insert that after the word "annually," in line 13 on page 32.

The CHAIRMAN. The gentleman from Kentucky will then wait until the ruling upon the point of order. The Chair will hear the gentleman from Florida.

Mr. CLARK of Florida. I want to say simply, in reference to the point of order, that if the Chair will observe, in line 6, "the Secretary of the Treasury is hereby authorized." Now, they are authorizing the Secretary of the Treasury to do something that it is certain he is not authorized to do without this; therefore this is new legislation.

Mr. TAWNEY. Mr. Chairman, I do not care to discuss the point of order, if the gentleman insists upon it. But I will state the facts, however; that it is for the purpose of enabling the Secretary of the Treasury to rent buildings that the Government now owns in the District of Columbia and apply a part of the proceeds of the rent to the repair of those buildings. That is all this is for. The Government is now paying \$7,000

for rent of these buildings. It has no authority to make any repair—necessary repairs that are absolutely necessary to the occupation of the buildings.

The CHAIRMAN. The paragraph is legislation upon an appropriation bill, and the Chair sustains the point of order.

Mr. SHERLEY. I offer an amendment to come in after line 13 on page 32.

The CHAIRMAN. The gentleman from Kentucky offers the amendment which the Clerk will report.

The Clerk read as follows:

Insert after line 13, page 32, the following:

"The Secretary of the Treasury is directed in designating any stone to be used in the public buildings for which appropriations are carried in this act to specify stone quarried in the State in which such building is to be erected, if stone suitable for such purposes be obtainable unless it be more expensive than stone of equal quality obtainable elsewhere."

Mr. TAWNEY. I reserve the point of order upon that.

Mr. SHERLEY. Now, Mr. Chairman, I desire to say to the committee that the effect of this amendment, if adopted, will simply be to have stone—native stone—used in the various public buildings provided in this act to be erected in the different States, provided such stone be suitable for that purpose, and be not more expensive than stone of equal quality to be had elsewhere, a proposition against which there can be no valid objection. I believe in patronizing the home market whenever the thing obtainable in that market is as good as any other obtainable elsewhere and at as reasonable a price. That is all that this does. It simply indicates the will of the House that in the selection of building stone stone quarried in the State, native to the State, shall be used for this purpose if it be obtainable at a fair price. I trust that no gentleman will insist upon the point of order. I recognize the amendment is subject to the point of order, but I believe that it is legislation that a majority of this House favors.

Mr. TAWNEY. I insist upon the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For salaries of 290 keepers of life-saving and lifeboat stations and of houses of refuge, \$249,600.

Mr. SULZER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York.

Mr. SULZER. Mr. Chairman, in my judgment the poorest paid employees of the Government are the men in the life-saving service. I take a deep interest in their welfare, and in the future, as in the past, will do all I can to aid them. These brave men perform the most arduous duties and heroic acts of any employees of the United States. I am in favor of economy along legitimate lines, but I am opposed to grinding down the poor, and hence I favor paying the life-savers along our coasts a little more money than they have been receiving. The small sum of \$65 a month which they receive as a stipend is scarcely enough to keep body and soul together. And now that there is a spirit abroad in favor of increasing salaries it seems to me that the Congress ought to increase the pay of the brave, overworked, and self-sacrificing life-savers of the country.

Any man who has ever witnessed the bravery, the hardihood, the dangerous and heroic performances of the life-savers along the Atlantic coast, when the storm roars and the waves beat high, will tell you that whenever there is a storm and a ship is on the rocks or strikes the bar, these men, taking their lives in their hands, go out in their lifeboats to save the ship and the human lives aboard; and when they go out in the breakers they do not know that they will ever return alive.

Mr. Chairman, I trust that the gentleman from Minnesota, who has been extremely liberal in appropriations for almost every conceivable purpose, will do something to increase the salaries of the men employed in the life-saving stations along the coasts of the United States. It seems to me it would be only just and fair to give them an increase of at least 25 per cent. They are entitled to more pay; they deserve it. They are getting the same pay now that they got when the original act was passed over twenty years ago, while the price of the necessities of life during that time has increased over 35 per cent. So while they are getting the same pay they got twenty years ago, they are paying for everything they have to buy for themselves and families over 35 per cent more than they did then. Hence their pay is now 35 per cent less than it was twenty years ago. What an anomaly! What a spectacle!

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of crews of surfmen employed at the life-saving and lifeboat stations, including the old Chicago station, and at the building to be erected on the grounds of the Jamestown Tercentennial Exposition, near the waters of Hampton Roads, in the State of Virginia, under authority of section 10 of the act of Congress approved June 30, 1906, for an exhibit of the United States Life-Saving Service, at the uniform

rate of \$65 per month each during the period of actual employment, and \$3 per day for each occasion of service at other times; compensation of volunteers at life-saving and lifeboat stations for actual and deserving service rendered upon any occasion of disaster or in any effort to save persons from drowning, at such rate, not to exceed \$10 for each volunteer, as the Secretary of the Treasury may determine; pay of volunteer crews for drill and exercise; fuel for stations and houses of refuge; repairs and outfits for same; rebuilding and improvement of same, including use of additional land where necessary; supplies and provisions for houses of refuge and for shipwrecked persons succored at stations; traveling expenses of officers under orders from the Treasury Department; commutation of quarters and purchase of fuel in kind for officers of the Revenue-Cutter Service detailed for duty in the Life-Saving Service; for carrying out the provisions of sections 7 and 8 of the act approved May 4, 1882; for draft animals and their maintenance; for telephone lines and care of same; and contingent expenses, including freight, storage, rent, repairs to apparatus, labor, medals, stationery, newspapers for statistical purposes, advertising, and all other necessary expenses not included under any other head of life-saving stations on the coasts of the United States, \$1,729,110.

Mr. SULZER. Mr. Chairman, I move to amend, on page 37, line 17, by striking out "sixty-five" and inserting "seventy-five."

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 37, line 17, strike out "sixty-five" and insert "seventy-five."

Mr. SMITH of Iowa. I make the point of order against this amendment.

Mr. SULZER. Mr. Chairman, I believe I have the floor.

The CHAIRMAN. But the gentleman from Iowa rises to make a point of order. Does the gentleman make the point of order?

Mr. SMITH of Iowa. I make the point of order against this amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. SMITH of Iowa. The law fixes these salaries specifically. There has been no proposition to change that law, and this is an absolute attempt to change it on an appropriation bill.

Mr. SULZER. Will the gentleman permit me to ask him a question?

Mr. SMITH of Iowa. Certainly.

Mr. SULZER. In your opinion do you think \$75 a month is too much pay for one of the hard-working, heroic life savers?

Mr. SMITH of Iowa. I decline to answer any such question as that. Mr. Chairman, the statute fixes these salaries, and this amendment is not in order.

Mr. SULZER. Mr. Chairman, I am aware of the fact that the law fixes the salaries of the men in the Life-Saving Service at \$65 a month; but when you have to buy the necessities of life and have got to support a family, that is very little. Sixty-five dollars a month will not go as far now as it did a few years ago.

I do not believe the gentleman from Iowa has anybody working out in his State for \$65 a month. Out in Iowa, I understand, the lowest wages paid is \$100 a month. I hope the point of order will not be insisted upon. These life savers along our coast are compelled to do hard and continuous work all hours of the night and day, and I ask now that my amendment be agreed to, so that the salary be increased \$10 a month. That is very little.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. OLCOTT, having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25242) to authorize additional aids to navigation in the Light-House Establishment, and for other purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 24987) to authorize the sale and disposition of a portion of the surplus or unallotted lands in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GAMBLE, Mr. BRANDEGEE, and Mr. DUBOIS as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 24991) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, disagreed to by the House of Representatives, had agreed to the confer-

ence asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FRYE, Mr. ELKINS, and Mr. BERRY as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 6906) to provide for the incorporation of banks within the District of Columbia.

The message also announced that the Senate had passed with amendments joint resolution and bill of the following titles; in which the concurrence of the House of Representatives was requested.

H. J. Res. 246. Joint resolution authorizing the President to extend an invitation to the Twelfth International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington.

H. R. 11040. An act to authorize the receivers of public moneys for land districts to deposit with the Treasurer of the United States certain sums embraced in their accounts of unearned fees and unofficial moneys.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees and the purchase of necessary books and periodicals, \$40,000, of which sum not exceeding \$1,500 may be used for rent of building.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This item carries \$40,000 for the Bureau of Ethnology. The Bureau of Ethnology is now devoting its attention very largely to bringing out the book which has been under preparation for some time, being a complete résumé and description of all the tribes of American Indians. It has been desired that the Bureau shall extend its work far enough to make an examination of Hawaiians and the Samoans, the aborigines in both cases almost having disappeared, and will very soon disappear. But with the amount as stated in this appropriation it will not be possible for the Bureau of Ethnology to make this examination in Hawaii and Samoa. It probably could be done in the course of a year if the committee would give the amount asked for this year, which I think was \$50,000 in the estimates. Would not the gentleman be willing to pass the item or to increase the amount from \$40,000 to \$50,000 under the special circumstances of the case?

Mr. SMITH of Iowa. Mr. Chairman, I may say that two years in succession the Department has sought to extend this investigation to Samoa and both years the committee has deemed it inadvisable to permit such extension. It has already been extended to Hawaii by the modification of this language.

Mr. MANN. Yes; but the money is not sufficient to carry it out.

Mr. SMITH of Iowa. I may say that that is a matter on which there may be a difference of opinion. This Bureau has been at work upon the study of American ethnology for a great many years, and it is the opinion of the committee that there must some time come an abatement of the quantity of new material upon this subject. I would not, so far as I am concerned, consent to consider any amendment favorably to increase this appropriation. The matter was quite fully considered in subcommittee and rejected. If the gentleman says that he has any express or implied understanding with the chairman of the committee, who is now absent for a few moments, I am willing it should be passed.

Mr. MANN. I have no implied or express understanding. I endeavored a while ago to get the attention of the chairman in the hope that I might have an implied or express understanding, but as yet I have none. It is a fact that the Bureau of Ethnology is working on this book, which will not be large in size probably, but which requires great study in reference to every tribe of Indians, both of the past and of the present. This requires an enormous amount of research and work.

While the authority has been given to make the examination of the Hawaiians, the money has not been provided, and it does seem to me that we should have some authentic statement in reference to the aborigines of the Hawaiian Islands, who have almost disappeared, so as to preserve in the archives of the Government that information. I dare say if the appropriation be not increased this year that it will never be obtained.

Mr. SMITH of Iowa. Mr. Chairman, I should greatly regret to have information of so much importance to the world lost, but this Bureau was founded in 1879. It has been receiving appropriations of \$40,000 and upward for the last sixteen years. It does seem to the committee that there ought to be some points at which the original sources of information upon the American

aborigines would approach exhaustion. But apparently this Bureau every year can find an opportunity here at home to spend just as much money upon that old subject as ever it could. We believe that the amount of money heretofore given is available now for the study of the aborigines in Hawaii, because we believe that certainly such progress has been made in the investigation here at home as would warrant a reduction of the expenditure here.

Mr. MANN. My friend from Iowa suggests that the sources of information in reference to the aborigines in America ought to have been exhausted at this time. If he was investigating the source of the information on the subject, I believe it would have been exhausted long ago.

Mr. SMITH of Iowa. The gentleman is certainly correct about that. [Laughter.]

The Clerk read as follows:

For protection of Casa Grande Ruin, in Pinal County, near Florence, Ariz., and for excavation on the reservation, to be expended under the supervision of the Secretary of the Smithsonian Institution, \$3,000.

Mr. SULZER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York.

Mr. SULZER. Mr. Chairman, I am informed that this appropriation is for the purpose of making excavations in some old ruins in Arizona, to dig up the bones of prehistoric people who died long before the Paleozoic age. [Laughter.] The item expends \$3,000 to dig up the moldy and crumbling remains of people who died thousands of years ago and bring them to Washington to be exhibited in the Smithsonian Institution. I am opposed to legislating away the people's money for these dead and decaying bones while we deny the living a decent livelihood. [Laughter and applause.] If we offer an amendment here increasing the salary of a poor workman \$10 a month, some Republican on the other side gets up and raises the point of order. If we try to get the life savers enough to keep body and soul together and take care of their little families, some Republican on the other side gets up and raises a point of order. And here we see in this bill \$3,000 of the people's money appropriated to be wasted in digging up the remains of people who died thousands and thousands of years ago and who care nothing about what is going on here now or what becomes of their bones. [Laughter.] It reminds me very much of a stanza in a poem that Bret Harte wrote a good many years ago—these objections by the Republicans do. I can not remember all of the poem, but I recollect one stanza in it pertinent to this discussion, which goes about as follows:

Then Abner Dean, of Angels, raised a point of order, when
A chunk of old red sandstone struck him in the abdomen.

[Laughter.]

He smiled a kind of sickly smile, and curled up on the floor;
And subsequent proceedings interested him no more.

[Laughter and applause.]

The Clerk read as follows:

Astrophysical Observatory: For maintenance of Astrophysical Observatory, under the direction of the Smithsonian Institution, including salaries of assistants, the purchase of necessary books and periodicals, apparatus, making necessary observations in high altitudes, repairs and alterations of buildings, and miscellaneous expenses, \$13,000.

Mr. SULZER. Mr. Chairman, I move to strike out the last word for the purpose of getting some information regarding this astrophysical matter. I would like to know from the gentleman from Minnesota for what purpose this appropriation is made?

Mr. TAWNEY. The purpose is expressed in the language in which the appropriation is made.

Mr. SULZER. Has it anything to do with the sun spots? [Laughter.]

Mr. TAWNEY. I can not inform the gentleman.

Mr. SULZER. Mr. Chairman, such ignorance is bliss. But being the chairman of the committee, it seems to me the gentleman ought to know something about what the appropriation is for.

Mr. TAWNEY. I will state to the gentleman that if he wishes to enlighten himself on the subject, and will turn to the hearings before the Committee on Appropriations, he will have a full explanation of that service.

Mr. SULZER. I understand, Mr. Chairman, that this appropriation of \$13,000 is for the purpose of ascertaining just what the sun spots mean—just what is going to happen on account of them—

Mr. TAWNEY. Well, the Committee on Appropriations is not responsible for the understanding of the gentleman from New York.

Mr. SULZER. I asked what the gentleman's understanding was in regard to this matter and he was unable to give it. Who is responsible for that?

Mr. TAWNEY. I said if the gentleman would turn to the hearings he would see.

The CHAIRMAN. The Clerk will read.

Mr. SULZER. One moment, Mr. Chairman. I have the floor.

The CHAIRMAN. The Chair thought the gentleman had concluded.

Mr. SULZER. Not yet. Mr. Chairman, it seems to me that this is an unnecessary appropriation of the large sum of \$13,000 for the purpose of ascertaining, if such a thing be possible, the relations of the sun spots to the solar universe. [Laughter.] Well, now, how did it all come about? A scientist in Pittsburg, when he first observed these sun spots—and he didn't see them in the first place, because some humble person looking through a piece of darkened glass saw these spots on the sun and called somebody's attention to it, and finally it got to the knowledge of the old professor, who got out his telescope and saw the spots, and viewed them with alarm. After carefully considering the phenomenon he deliberately declared that they portended evil; that there would be the greatest electrical disturbances in Pittsburg, Washington, and New York the next day that ever was known in the history of the world. The declaration impressed me. I watched very carefully for these electrical disturbances all that day in Washington, and I was disappointed. I saw nothing and I heard nothing unusual. I can truthfully testify here that during that whole day we had the most calm and peaceful day in the House of Representatives I have ever observed here during my experience. The sun shone as ever, old mother earth looked the same, and there was the same bland and childlike smile on the countenance of dear old Uncle Joe. [Laughter.] No electrical disturbance anywhere, just the same old sun and same old earth. [Laughter.]

Mr. TAWNEY. Well, he made a mistake in the day. He meant to-day.

Mr. SULZER. Mr. Chairman, just a few words more and I shall conclude. Seriously, I have been fighting here to the best of my ability to get a little increase of pay for some poor people working for the Government, and I think it is a waste of the people's money to appropriate \$13,000 to ascertain what the sun spots are going to do to us now or hereafter. [Laughter.]

So far as I am personally concerned, I am not worried. They do not trouble me a bit. I do not think they are going to trouble anybody on this little planet. The other day, in looking up what they portended, going back to the days of the Ptolemys, I found out that these sun spots meant much or absolutely nothing, according to the superstition of the age, because every man who has ever written about them, from the ancient days down to the present time, has differed with everybody else who has written about them—no two astronomers have ever agreed about them—so I take nobody's opinion concerning the matter but my own, and my own opinion is they are there, and that they will stay there until they go away. [Laughter and applause.] And while they are there they are not going to hurt anybody down here; and if they do, then it is time enough for us to appropriate money, and not to find out what these sun spots are, but to take care of the maimed and the injured and the stricken caused by the calamity. [Laughter and applause.] Mr. Chairman, I now move to strike out the paragraph.

The question was taken; and the Chairman announced that the "noes" appeared to have it.

On a division (demanded by Mr. SULZER) there were—ayes 24, noes 72.

Mr. CLARK of Florida. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Florida makes the point of no quorum. The Chair will count. [After counting.] The Chair finds 122 Members present, and the amendment is rejected.

The Clerk read as follows:

Building for National Museum: For completing the construction of the building for the National Museum, and for each and every purpose connected with the same, \$1,250,000: *Provided*, That if the superintendent of buildings and grounds, Library of Congress, now in charge of the construction of the new Museum building and the disbursing of all appropriations made for the work, be at any time incapacitated to continue in such charge, the Board of Regents of the Smithsonian Institution is hereby empowered to take charge of the construction and to disburse appropriations made for the same.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order against the paragraph beginning on line 23, page 43, down to line 5, page 44, as being new legislation.

Mr. MANN. Will the gentleman reserve his point of order for a moment?

Mr. CLARK of Florida. I will reserve it; yes.

Mr. MANN. I ask the gentleman to do that in order that I

may make a statement. The proviso is subject to the point of order. The present National Museum is being constructed under an appropriation which provides that all of the disbursements shall be made on the order of Mr. Green, who is the architect in charge of the Congressional Library, and who has charge of the construction of the building. Mr. Green's health is not of the best, and he may be required to be absent from the city, and it may be impossible for him to O. K. the vouchers for disbursements. The Board of Regents includes the gentleman from Georgia, Mr. HOWARD, the gentleman from Pennsylvania, Mr. DALZELL, and myself, from the House.

Mr. SHACKLEFORD. How is Mr. Green employed, on a commission or on a salary?

Mr. MANN. I am unable to inform the gentleman.

Mr. TAWNEY. He is employed on a salary.

Mr. SHACKLEFORD. At how much?

Mr. TAWNEY. At \$2,000 a year.

Mr. MANN. Now, Mr. Chairman, I hope in view of the statement the gentleman will withdraw his point of order.

Mr. CLARK of Florida. On the statement made by the gentleman from Illinois I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

The unexpended balance of the sum of \$10,000 appropriated for the fiscal year 1899 by the "Act concerning carriers engaged in interstate commerce and their employees," approved June 1, 1898, which was reappropriated by the act of June 30, 1906, is hereby reappropriated and made available for expenses that may be incurred under said act during the fiscal year 1908.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert at the end of line 18:

"To enable the Interstate Commerce Commission to investigate in regard to the use and necessity for block-signal system and appliances for the automatic control of railway trains, including experimental tests, at the discretion of the Commission, of said signal system and appliances only as may be furnished in connection with such investigation free of cost to the Government, in accordance with the provisions of the joint resolution approved June 30, 1906, \$500,000."

Mr. CRUMPACKER. Mr. Chairman, I believe this to be a very important piece of legislation. I am of the opinion that the amendment is too narrow. It limits the inquiry by providing that the Interstate Commerce Commission shall make an investigation of the block-signal system and appliances for the automatic control of railway trains. I think the whole subject, if we have power, of safety devices, of inventions calculated to promote the safety of railroad travel, should be covered by the bill.

Now, I suggest this—and I think it can be done and not make the amendment out of order—eliminate the word "automatic," in the third line, so that it would read: "The use and necessity for block-signal systems and appliances for the control of railway trains." I believe it would broaden the power of the Interstate Commerce Commission if the word "automatic" were omitted. As it is now, there are only two classes of safety devices that the Interstate Commerce Commission will be permitted to investigate, and those are block-signal systems and devices for the automatic control of railway trains. There may be many small devices in existence that, if they were brought to notice, would greatly promote the safety of railway travel, and I wish the gentleman would consent to the striking out of the word "automatic" and allow the Commission to investigate all appliances for the control of railway trains. That would cover automatic control as well.

Mr. MANN. Mr. Chairman, if it were a new proposition I might be willing to consent to what the gentleman suggests; but the amendment which I have offered is in accordance with the joint resolution already enacted into the law, is not subject to a point of order, and I have presented the amendment to the members of the Committee on Appropriations, who have made no objection to it. Therefore I would not feel that I had the right under the circumstances, having called the attention of the Committee on Appropriations to this subject, to widen the scope of this amendment. Hence I would be compelled to make a point of order on any change in the provision.

Mr. CRUMPACKER. Mr. Chairman, I desire to move to amend the amendment by striking out the word "automatic," in the third line.

Mr. MANN. Mr. Chairman, I make the point of order on the amendment.

Mr. CRUMPACKER. Mr. Chairman, I desire to be heard on the point of order. I believe the amendment to the amendment does not violate any rule of the House, and the amendment proposed by the gentleman from Illinois [Mr. MANN],

that the word "automatic" be eliminated, would be in order and would be within the resolution that the amendment refers to. The provision would then provide for the investigation of block-signal systems and appliances for the control of railway trains, and under the resolution that is referred to in the amendment I am confident a provision with the word "automatic" out would be in order. I have no doubt about it. It is not necessary that an amendment be in the exact words of the statute if it comes within the scope of the statute. That is all the rules of the House require.

The CHAIRMAN. Will the Clerk report the amendment offered by the gentleman from Indiana?

The Clerk read as follows:

In line 3 of the amendment strike out the word "automatic;" so as to read: "For the control of railway trains."

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. MANN. Mr. Chairman, the joint resolution provides for the investigation, etc., of block-signal systems and appliances for the automatic control of railway trains. That means the automatic control. If the word "automatic" is stricken out and "control" is left, that would include many things which are not included by the provisions of the joint resolution. And it seems to me that if—although it is in accordance with the provisions of the joint resolution, etc.—the word "automatic" were stricken out, the amendment would be subject to a point of order; and if the amendment with the word "automatic" out has been subject to a point of order, I take it that striking the word out is subject to a point of order.

Mr. CRUMPACKER. I believe that is the proper test. Suppose the amendment had been offered by the gentleman from Illinois [Mr. MANN], in the first instance, with the word "automatic" out; would it have been subject to a point of order? I do not think it would under the resolution which he read. I repeat that it is not necessary that a resolution or a provision be in the exact terms of the authorizing statute, so that it comes within the general terms of the statute, and the construction that would be given the provision would be in the light of the resolution originally authorizing the investigation.

The CHAIRMAN. I would like to ask the gentleman from Indiana [Mr. CRUMPACKER] whether or not his description, by striking out the word "automatic" here, would not let in a great many things? That is, would not the scope of the investigation be much wider and more extended than if the term "automatic" is included?

Mr. CRUMPACKER. If the Chair please, the resolution or amendment says it shall be in accordance with the resolution that the gentleman read. That resolution is a part of the amendment, so that the investigation of appliances for the control of railroad trains would be construed to be the appliances provided for in the resolution conferring authority upon the Interstate Commerce Commission to make the investigation in the first place and for which this appropriation is to be made.

Mr. TAWNEY. Will the gentleman from Indiana permit an interruption for a question?

Mr. CRUMPACKER. I will.

Mr. TAWNEY. I would like to ask the gentleman from Indiana [Mr. CRUMPACKER] if it is not a fact that this amendment changes entirely the character and extent of the investigation which the joint resolution authorizes the Interstate Commerce Commission to make—changing it from a limited investigation to an unlimited one.

Mr. MANN. Before the gentleman answers that question, I will be glad if he will answer another with it. Does the gentleman believe that striking out the word "automatic" and inserting the rest would permit the investigation of headlights?

Mr. CRUMPACKER. I do not know; I think it would. That is, if the original law were broad enough, but we are discussing this point of order.

Mr. MANN. I understand. That is on the point of order I asked.

Mr. CRUMPACKER. Striking out the word "automatic," it would authorize the investigation of the subject of headlights unless it be limited by other provisions of the amendment. Now, the amendment provides for an investigation in accordance with the provisions of joint resolution approved June 30, 1906. So the kind of appliances that might be investigated would be the kind of appliances described in the resolution of June 30, 1906, because the amendment expressly so provides.

Mr. MANN. Now, Mr. Chairman, it is perfectly clear that under the original resolution the Commission would have no authority, for instance, to investigate headlights, which can not be automatic appliances for the control of railway trains. Thus far I know of no way of making an automatic headlight, so that I think the striking out of the word "automatic" would per-

mit an investigation of headlights. It would make the amendment subject to the point of order. Now, what does the amendment which I offer propose? It follows the language of the resolution except as to experimental tests. It is limited to those which are furnished free of cost to the Government, and then, as a mere matter of reference, refers to the joint resolution. I take it that it is merely descriptive, often inserted in statutes for the purpose of directing attention of the parties to the place where the authority came from, and the appropriation here is described at the head of the amendment.

The CHAIRMAN. The Chair thinks the matter is not entirely free from doubt, but is inclined to sustain the point of order.

Mr. KENNEDY of Nebraska. Mr. Chairman, I ask to have the amendment reported again.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again reported.

Mr. CRUMPACKER. Mr. Chairman, the amendment is debatable. I only want to say a word or two upon it. I simply want to express my disappointment because the investigation is limited to only two particular subjects—the investigation of block-signal systems and devices for the automatic control of railroad trains. The question of adopting safety appliances for the promotion of the safety of travelers on the railways is a vital question, one that interests every person in the Republic; and I believe the Interstate Commerce Commission ought to be authorized to make a careful, a scientific, and a thorough investigation of all devices that may seem to possess any merit that may possibly add to the safety of the railroad service and promote the safety of travel on railroad trains.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

To enable the Interstate Commerce Commission to keep informed regarding compliance with the act to promote the safety of employees and travelers upon railroads, approved March 2, 1893, including the employment of inspectors to execute and enforce the requirements of the said act, \$100,000; said inspectors shall also be required to make examination of the construction, adaptability, design, and condition of all mail cars used on any railroad in the United States and make report thereon, a copy of which report shall be transmitted to the Postmaster-General.

Mr. PERKINS. I move to strike out the last word.

Mr. MANN. I reserve the point of order.

Mr. PERKINS. The point of order is reserved; so that I make the motion in order to get some information in reference to the clause.

Mr. Chairman, just a moment ago we adopted an amendment appropriating \$50,000 to investigate certain safety appliances. It was said, and justly said, that the prevalence of accidents upon our railroads seems to increase instead of diminish. Now, I would like to ask the gentleman in charge of the bill in reference to this appropriation. As I understand, since 1893, for fourteen years, there has been an annual appropriation of \$100,000 which has been paid for the employ of men whose duty it has been to see whether the railroads complied with the act to promote the safety of employees and travelers. Does the gentleman think that the results of the investigation as to the safety of employees and travelers have been such as to lead us to believe that this great appropriation during the long period of years has been accompanied by any useful results? Why is it, after all these years, they have this very day made a special appropriation of \$50,000 to investigate one thing that might increase the safety of travelers and employees?

Mr. SMITH of Iowa. While it may not be material, the gentleman is in error as to the magnitude of the appropriation in prior years.

Mr. PERKINS. It is a hundred thousand dollars this year.

Mr. SMITH of Iowa. The appropriations have been rising and the force increasing, and it has not been, as the gentleman suggests, \$100,000 during past years.

Mr. PERKINS. Will the gentleman allow me one question, if it will not interrupt him? The gentleman says the appropriations have been increasing. Has there been any increased safety either to employees or travelers that has accompanied the increase in the amount paid for inspectors whose duty has been, as prescribed by the act, to bring about that result?

Mr. SMITH of Iowa. I will answer the gentleman with pleasure. The law referred to in this appropriation is the law providing for automatic couplings and air brakes.

Mr. PERKINS. Is that all that is provided by the law?

Mr. SMITH of Iowa. That is substantially all that is covered by the law.

Mr. MANN. And handholds, and everything of that kind.

Mr. SMITH of Iowa. That is substantially what is covered

by the statute referred to in this section. If the gentleman now asks me whether or not the enforcement of the law for automatic couplings and air brakes has had any effect to increase the safety of employees or travelers, I answer him that the record shows that it has enormously decreased the injuries to employees.

Mr. PERKINS. I do not question that statement for a moment.

Mr. SMITH of Iowa. And this is an appropriation for the necessary inspectors to see that those laws, which primarily require the automatic coupling and the air brake and some minor matters, as suggested by the gentleman from Illinois, are enforced and obeyed; and no money has been more wisely invested by the Government, if human life and human blood are to be estimated of any worth. Now, the law is being fairly well enforced with reference to those types of safety appliances. The vast increase in travel and in the transportation of freight has brought about other dangers and many disasters. We seek by the resolution that has been heretofore passed, and by the amendment which has just been put into the bill on the motion of the gentleman from Illinois [Mr. MANN], to avoid other dangers to the public which are of the utmost importance to be avoided. While these laws heretofore passed have proven highly effective and these means of enforcing these laws have been excellent, new questions have arisen. The crowded condition of the railway tracks imperils the lives of our people, and we now want something that, unlike the human mind, will never flag, will never become dazed, will never fail to act, but something which automatically and mechanically will protect the safety of our people. That is what we are in search of now, and this has no relation to the appropriation covered by the item to which the gentleman has just referred.

Mr. PERKINS. I entirely sympathize, as every Member of the House sympathizes, with the objects that we all seek to obtain; but still I am desirous of a little information as to how far the money that we are spending is judiciously spent with a profitable result, and so I would ask the gentleman, who says that the act of 1893 prescribes the use of only two appliances—

Mr. SMITH of Iowa. And some minor ones.

Mr. PERKINS. Which I suppose have been adopted by every railroad system in the United States, have they not?

Mr. SMITH of Iowa. In general; yes.

Mr. PERKINS. I ask the gentleman how many employees are paid under this provision for which we appropriate \$100,000 a year?

Mr. OLMSTED. And what they do?

Mr. SMITH of Iowa. There are in the neighborhood of twenty of these employees.

Mr. PERKINS. Twenty, at \$5,000 apiece?

Mr. SMITH of Iowa. Oh, no; this includes their traveling expenses. You understand that even if the Government could have obtained free transportation in years gone by it was not deemed desirable to give notice to railway employees that "here comes the inspector"—

Mr. TAWNEY. Or to railway officials either.

Mr. SMITH of Iowa. And so perhaps defeat the very purpose of the inspection, and it has always been the practice, therefore, to pay the full fare of all these inspectors, as well as their salaries and their subsistence.

Mr. PERKINS. That is entirely proper. I would like to ask the gentleman if he thinks it is necessary, with reference to improvements that have come into general use, to keep twenty men in constant employ to see whether or not such things as these couplers, which every man can see are used, are being used by the railroads?

Mr. SMITH of Iowa. I will say that twenty men to cover the United States and see that these automatic couplers are kept in repair and are actually used as automatic couplers, to see that the requisite percentage of cars is equipped with the air brake, and that the air brake is actually used, is indeed a scanty force for this country.

Mr. MANN. Last year I tried to get the number increased.

Mr. CLARK of Florida. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Florida. I make the point of order that there is no quorum present.

Mr. PERKINS. Mr. Chairman, I think the gentleman from Florida can not take me off my feet.

The CHAIRMAN. The point of no quorum can be raised at any time. The Chair will count. [After counting.] The Chair feels sure that all the Members in the House have been counted, and eighty-six are present.

Mr. WILLIAMS. I suggest that the chairman move that the committee rise.

Mr. TAWNEY. I will say to the gentleman from Mississippi that it was the desire of the committee to continue reading this bill until 7 o'clock in the hope of getting through it as fast as we possibly can. The bill is a very large one and will take considerable time. There are important items in it that will have to be discussed, and in the next hour we can pass over in the neighborhood of forty or fifty pages before reaching those items upon which there will be very much controversy.

Mr. GAINES of Tennessee. Why not have a night session?

Mr. TAWNEY. It is impossible under the present condition to have a night session. If we were to rise and take a recess it would be impossible to get back into Committee of the Whole, because we would not have a quorum.

Mr. GAINES of Tennessee. Oh, certainly there would be a quorum.

Mr. TAWNEY. We would not have a quorum of the House, and it requires a quorum of the House to go into Committee of the Whole. I hope the gentleman from Florida will withdraw his point of no quorum and let us go on for an hour at least.

Mr. WILLIAMS. Mr. Chairman, I merely rise for the purpose of requesting the gentleman from Minnesota to move that the committee do now rise.

The CHAIRMAN. Enough Members have come into the Hall so that the Chair has been able to count 101 present. A quorum is present, and the Clerk will read.

Mr. WILLIAMS. Mr. Chairman, I move that the committee do now rise.

The question was taken; and on a division (demanded by Mr. WILLIAMS) there were—ayes 13, noes 90.

Mr. WILLIAMS and Mr. CLARK of Florida demanded tellers.

The CHAIRMAN. Fourteen gentlemen have risen, not a sufficient number, and tellers are refused. Does the gentleman from Illinois press his point of order?

Mr. MANN. I will withdraw the point of order and move to strike out the last word. As to this portion of the item providing for the examination by safety-appliance inspectors of railway mail cars, what is the purpose, and has the appropriation been increased somewhat this year, so that there will be an increase to provide for this matter?

Mr. SMITH of Iowa. I may say, Mr. Chairman, that under the law, as the gentleman is aware, the railway mail clerks do not have the protection and rights of passengers. They are subject to more hazards than the ordinary passenger, without his rights. It is strenuously contended by the railway mail clerks that many dangerous mail cars are operated in the United States. A movement has been started to secure a distinct force of inspectors for the purpose of investigating the safety and adaptability of these cars and to look after the safety of the railway mail clerks. It seemed to the committee that as the Government already had a force of skilled inspectors—mechanical inspectors—that possibly if they as they travel about the country could inspect these mail cars and their reports were then forwarded by the Interstate Commerce Commission to the Post-Office Department, the entire control of the situation remaining in the Post-Office Department, it simply availing itself of the information furnished, the great expense to the Government of appointing a new force of mechanical inspectors might be saved.

Mr. MANN. The gentleman refers in the bill to the adaptability. Does the gentleman think that these safety-appliance inspectors are the proper persons to judge of the adaptability of the inside of a car for postal service, or is it simply intended to cover the construction of the car?

Mr. SMITH of Iowa. In the first place, these inspectors are not to judge of anything. They are to report conditions.

Mr. MANN. Well, that means judgment.

Mr. SMITH of Iowa. The Post-Office Department will judge of the adaptability of the interior arrangement, but the purpose is simply to have these mechanical experts report as to the adaptability, as to the strength, and like things, in order that the Post-Office Department may utilize that information without additional cost to the Government.

Mr. MANN. I withdraw the pro forma amendment.

The Clerk read as follows:

Contingent expenses. Independent Treasury: For contingent expenses under the requirements of section 3653 of the Revised Statutes of the United States, for the collection, safe-keeping, transfer, and disbursement of the public money, and for transportation of notes, bonds, and other securities of the United States, \$240,000.

Mr. KEIFER. Mr. Chairman, there has been an understanding here for some time with a number of gentlemen that the next paragraph should be passed over without prejudice. I refer to the paragraph relating to the transportation of silver

coin. I ask unanimous consent that it be passed without prejudice.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the next paragraph may be passed without prejudice. Is there objection?

Mr. CLARK of Florida. I object.

The CHAIRMAN. The gentleman from Florida objects.

Mr. KEIFER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. WILLIAMS. Mr. Chairman, I suggest the absence of a quorum.

The CHAIRMAN. The Chair has recognized the gentleman from Ohio. He asked for what purposes the gentleman from Ohio rose.

Mr. WILLIAMS. Mr. Chairman, it is always in order to suggest the absence of a quorum, because if we have no quorum we can not do business, not even to listen to the gentleman from Ohio.

The CHAIRMAN. The gentleman from Mississippi is quite right, and the Chair will again count.

Mr. TAWNEY. Mr. Chairman, before the announcement of the result I desire to make a parliamentary inquiry. Is it not competent for the Chair to count Members who are in the cloakrooms?

The CHAIRMAN. The Chair has counted the head of every Member looking out of the cloakrooms that is visible, and the Chair finds eighty Members present; not a quorum.

Mr. WILLIAMS. Mr. Chairman, I demand the regular order.

Mr. PAYNE. The regular order is to count, and I hope the Chair will keep on counting.

Mr. WILLIAMS. The Chair has announced the count.

The CHAIRMAN. The Chair will state to the gentleman from Mississippi that the regular order would be to call the roll to ascertain the absentees and to compel the absentees to come into the House. That is the regular order, if the gentleman demands it.

Mr. CAPRON. But I do not understand that we can call the roll in the Committee of the Whole.

Mr. WILLIAMS. The Chair has announced the result; therefore, there is no quorum.

Mr. CLARK of Florida. Mr. Chairman—

The CHAIRMAN. Too many gentleman are seeking to address the House at once.

Mr. CLARK of Florida. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Florida. How many does it take to constitute a quorum in Committee of the Whole?

The CHAIRMAN. One hundred.

Mr. CLARK of Florida. Then there is not a quorum present.

The CHAIRMAN. There is not a quorum present. The gentleman from Mississippi has demanded the regular order, which will be to call the roll and bring in the absentees.

Mr. FITZGERALD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FITZGERALD. Is not the roll call for the purpose of ascertaining the names of the Members not present?

The CHAIRMAN. That is right. If the gentleman insists on the regular order, the Chair will order the roll to be called.

Mr. WILLIAMS. Is the Chairman going to call the roll in Committee of the Whole?

The CHAIRMAN. We do that in order to ascertain the absentees, in order that they may be reported to the House, under the rules of the House.

Mr. WILLIAMS. Mr. Chairman, I would suggest to the gentleman from Minnesota that the committee do now rise.

Mr. TAWNEY. I do not see the necessity of that.

Mr. WILLIAMS. Then, Mr. Chairman, I call for the regular order.

Mr. OLMSTED. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. OLMSTED. I would like to know whether any point of no quorum has yet been made. I have heard it only suggested.

Mr. WILLIAMS. Oh, yes; the point of no quorum has been made.

The CHAIRMAN. The point of no quorum was made, as the Chair understood, by the gentleman from Mississippi. The Chair has counted eighty Members present. The gentleman from Mississippi has called for the regular order, and the Clerk will call the roll.

The roll was called.

The SPEAKER took the chair.

The CHAIRMAN. Mr. Speaker, the Committee of the Whole House on the state of the Union, finding itself without a quorum,

caused the roll to be called. There were ascertained to be present 116, and I am directed by the committee to report to you the following absentees:

Acheson	Ellerbe	Klepper	Rhinock
Alexander	Fassett	Kline	Rhodes
Allen, Me.	Feld	Knopf	Richardson, Ala.
Allen, N. J.	Fletcher	Knowland	Richardson, Ky.
Ames	Flood	Lacey	Riordan
Babcock	Floyd	Lamar	Rives
Bankhead	Foss	Landis, Frederick	Roberts
Bartholdt	Foster, Ind.	Law	Robertson, La.
Bartlett	Foster, Vt.	Lawrence	Rodenberg
Bates	Fowler	Le Fevre	Rucker
Bede	Fulkerson	Lewis	Ruppert
Beidler	Fuller	Lilley, Conn.	Ryan
Bell, Ga.	Gaines, W. Va.	Lilley, Pa.	Saunders
Bingham	Garber	Lindsay	Schneebell
Birdsall	Gardner, Mass.	Livingston	Scott
Blackburn	Gardner, Mich.	Lloyd	Scroggy
Boutell	Gardner, N. J.	Longworth	Shackelford
Bowers	Garner	Lorimer	Shartel
Bowersock	Gilbert	Loud	Sheppard
Bowie	Gilliams	Lovering	Sherman
Bradley	Gill	Lowden	Sibley
Brantley	Gillett	McCall	Slayden
Broocks, Tex.	Glass	McCarthy	Slomp
Brooks, Colo.	Goebel	McCreary, Pa.	Small
Broussard	Goldfogle	McDermott	Smith, Ky.
Brown	Goulden	McGavin	Smith, Mich.
Brownlow	Graff	McKinlay, Cal.	Smith, Pa.
Brumm	Granger	McKinley, Ill.	Smyser
Brundidge	Gregg	McKinney	Southwick
Buckman	Griggs	McLachlan	Sparkman
Burke, Pa.	Gronna	McLain	Sperry
Burleigh	Gudger	McMorran	Spight
Burnett	Hale	McNary	Stanley
Burton, Del.	Hamilton	Madden	Steenerson
Burton, Ohio	Hardwick	Mahon	Stephens, Tex.
Butler, Tenn.	Haugen	Martin	Stevens, Minn.
Byrd	Hay	Maynard	Sulloway
Calder	Hearst	Meyer	Sulzer
Calderhead	Hedge	Michalek	Talbott
Campbell, Kans.	Heffin	Minor	Taylor, Ohio
Campbell, Ohio	Henry, Conn.	Moon, Pa.	Thomas, Ohio
Cockran	Henry, Tex.	Moore, Tex.	Tirrell
Cole	Hepburn	Morrell	Towne
Conner	Hermann	Mouser	Townsend
Cooper, Pa.	Hill, Conn.	Mudd	Trimble
Cooper, Wis.	Hill, Miss.	Nelson	Tyndall
Coudrey	Hinshaw	Nevin	Underwood
Consins	Hogg	Norris	Van Duzer
Cromer	Holliday	Otjen	Van Winkle
Currier	Hopkins	Overstreet, Ga.	Volstead
Dalzell	Houston	Overstreet, Ind.	Wachter
Darragh	Howard	Page	Wallace
Davey, La.	Howell, N. J.	Palmer	Wanger
Davis, Minn.	Howell, Utah	Parsons	Watkins
Davis, W. Va.	Hubbard	Patterson, N. C.	Webb
Dawes	Huff	Patterson, S. C.	Webber
Denby	Hughes	Pou	Weems
Dixon, Ind.	Humphrey, Wash.	Powers	Weisse
Dovener	Humphreys, Miss.	Prince	Welborn
Draper	Hunt	Pujo	Wharton
Dresser	Jenkins	Rainey	Wiley, Ala.
Driscoll	Johnson	Randell, Tex.	Wilson
Dunwell	Jones, Va.	Ransdell, La.	Woodyard
Edwards	Kellher	Reeder	Young
	Kinkaid	Reid	

The SPEAKER. The gentleman from Indiana [Mr. WATSON], chairman of the Committee of the Whole House on the state of the Union, reports that the committee, having found itself without a quorum, directed the roll to be called, and reports the absentees. It appears that a quorum of the Committee of the Whole House on the state of the Union is present, namely, 116, and therefore, under the rule, the committee will resume its session.

The committee resumed its session, Mr. WATSON in the chair. The Clerk read as follows:

Transportation of minor coin: For transportation of minor coin, \$18,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, minor coin when requested to do so: *Provided*, That an equal amount in coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants. And the Secretary of the Treasury shall report to Congress the cost arising under this appropriation.

Mr. KEIFER. Mr. Chairman, I wish to resume my application that this paragraph in the bill be passed over without prejudice. I want to say to the gentlemen on both sides of the House, so far as they could be consulted in connection with the committee, this was understood sometime ago in connection with another matter. It is a very important one, and it would take but a very short time to discuss it.

The CHAIRMAN. The gentleman from Ohio [Mr. KEIFER] asks unanimous consent that the second section, on page 48, be passed without prejudice, the section having reference to the transportation of minor coins. Is there objection?

Mr. CLARK of Florida. Mr. Chairman, I object.

Mr. KEIFER. I hope the gentleman will withdraw his objection in view of the importance of the matter and of the situation. The whole committee, so far as I know, understand it in that way.

Mr. CLARK of Florida. Mr. Chairman, I will state to the gentleman from Ohio [Mr. KEIFER] that from now on until the 4th of March there will not be another unanimous consent granted in this House.

The CHAIRMAN. Does the gentleman from Ohio desire to discuss the section?

Mr. KEIFER. I desire to discuss the section and make several amendments. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Amend by inserting after the word "transportation," in line 8, page 48, the following: "of silver coin, including fractional silver coin, by registered mail or otherwise, \$120,000, and."

Mr. KEIFER. Now, Mr. Chairman, this proposition, I submit, if adopted, will be in precise accordance with the legislation in the sundry civil bill for the present fiscal year. It will be in substantial accordance with the sundry civil bills commencing with the year 1881 until this Congress; and I believe it has never been proposed to completely withdraw the patronage of the United States over the distribution of fractional currency or minor silver coin until this year. This is the first year in the history of the coinage of fractional silver that I believe it was even proposed that the Government of the United States should not be instrumental in some way, and in the way of transportation, in distributing fractional silver all over this country. Last year the Committee on Appropriations were good enough to unanimously decide that they were still in favor of the distribution at the Government expense of fractional silver coin. This year they are opposed to it. Some say it is unconstitutional to do this thing. I know no provision of the Constitution that affects it.

Mr. FITZGERALD. Who says so?

Mr. KEIFER. Well, the gentleman asked the question. I will be glad to let the gentleman from Massachusetts answer.

Mr. FITZGERALD. I am asking for information.

Mr. KEIFER. You ask him.

Mr. FITZGERALD. I have not the floor.

Mr. KEIFER. He made that statement, I undertake to say, and I think in your presence.

Mr. FITZGERALD. I think not.

Mr. KEIFER. And standing by your side.

Mr. FITZGERALD. He did not make such a statement as that.

Mr. SULLIVAN. Well, now—

Mr. KEIFER. You suggested it was unconstitutional to carry silver, did you not?

Mr. SULLIVAN. I do not know whether it is unconstitutional for the Government to carry coin at the expense of the Government to the bankers, but it is highly immoral.

Mr. KEIFER. The gentleman is a little evasive in his answer; but let me say Mr. Chairman, that we have been discovering recently that there are a great many immoral things that have gone on from the beginning of this Government up to the present time.

Mr. KENNEDY of Nebraska. Especially in New York. [Laughter.]

Mr. KEIFER. It is said by the gentlemen who live at the side of one of the subtreasuries of this country that they do not want the distribution of fractional silver coin or silver dollars because they can get silver by going across the street, or near by, in their own cities. But over the great territory of the West and the great territory of the South, most of which is remote from the subtreasuries where silver dollars and fractional currency can be obtained, they are cut off absolutely and entirely if we are going to pass this bill in the form it is reported here.

Mr. GAINES of Tennessee. Will the gentleman permit me to interrupt him?

Mr. KEIFER. Certainly.

Mr. GAINES of Tennessee. I helped the gentleman discuss this question a year ago, and I agree with him. Is it proposed as an amendment to the pending bill?

Mr. KEIFER. An amendment is pending now which if adopted will simply continue a condition which has been going on in this country ever since 1881, perpetuated through civil sundry bills passed by Congress.

Mr. GAINES of Tennessee. Payment for the shipment?

Mr. KEIFER. Payment for the shipment of fractional silver and silver dollars.

Mr. GAINES of Tennessee. Now, your amendment is pending? Mr. KEIFER. It is exactly the same as was contained in the sundry civil bill of last year.

Mr. CLARK of Florida. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CLARK of Florida. I raise the point of order of no quorum.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. KEIFER] has expired.

Mr. KEIFER. I ask unanimous consent to be allowed to continue.

Mr. GAINES of Tennessee. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Ohio be extended five minutes. Is there objection?

There was no objection.

Mr. KEIFER. Mr. Chairman, there was a very full discussion of the matter—

The CHAIRMAN. The gentleman from Florida [Mr. CLARK] raises the point of no quorum. The Chair will state that the roll, just called within the last ten minutes, disclosed the presence of a quorum.

Mr. TAWNEY. I make the point, Mr. Chairman, that the point of no quorum made by the gentleman is dilatory.

The CHAIRMAN. The Chair at this time sustains the point made by the gentleman from Minnesota that it is dilatory, because in the opinion of the Chair at this time, so recently after the roll has been called, it is dilatory.

Mr. CLARK of Florida. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Florida. How long after a roll call before it is in order to call the attention of the Chair to the absence of a quorum?

The CHAIRMAN. Well, that depends on circumstances, and the Chair will deal with that question when it comes up. For the present the Chair sustains the point of order made by the gentleman from Minnesota. The gentleman from Ohio [Mr. KEIFER] is recognized.

Mr. KEIFER. Mr. Chairman, I regret to allude to a matter that is purely personal. About a month ago I agreed to go at this hour to the Georgetown University to attend to an important matter in connection with an oratorical contest, and they will very soon be waiting. That is the reason I was very anxious personally that this matter should be passed over. I have no means of notifying them. But I regard the pending question as of the gravest importance to this country. The suggestion has been made before that the Government should not be put to the expense of paying for the keeping out of silver, and when that suggestion was made it was answered. By reason of this provision we are now keeping in circulation about \$85,000,000 of the \$560,000,000 silver that the Government has coined. At the last report, on the 1st of February, 1907, we had about \$5,000,000 more in circulation than we had one year before. We have been able from year to year to utilize the silver, and there is a disposition which shows clearly that the silver of this country is demanded.

At this very hour, everywhere in the money centers of this country, they are appealing to Congress and to various schemes of the Treasury to get out some smaller currency—something with which to make change, something for convenience, one and two dollar bills, and the silver is the cheapest thing that we have. Gentlemen talk about paying the expense of transportation. Why, we pay the expense of transporting gold from mint to subtreasury. According to the provisions of this very bill, we are providing to pay for carrying paper currency; but when we come to silver coin people seem to have the idea that there is some strange reason why it should be struck down. It is a most important thing to this country that we should maintain our silver dollars on a parity with our gold dollars, and if we are going to lock the silver coin up in the Treasury, it will be disparaged to that extent and will be withdrawn from the useful circulating medium of this country.

Now, as to the fractional silver. We had in circulation in fractional currency, called "subsidiary silver," belonging to the Government, under date of January 1, 1907, \$127,841,368. We had on February 1 in circulation \$124,120,938, and by reason of the deficiency in the appropriation, which they were fearing would come, we went down in the distribution of subsidiary silver coin between January 1, 1907, and February 1, 1907, nearly \$4,000,000 in its circulation. If we now say that henceforth the subsidiary silver coin of this country is to be transported from the custom-houses by the people by whatever means they can get it, within a year we will hear a cry that our subsidiary silver coin has practically gone out of circulation, and we will hear an answering cry.

So that we are to-day not attempting to do only what we attempted in the last sundry civil bill, to wit, to depreciate the usefulness of the silver dollars, but we are proposing to wipe out practically \$127,000,000 more of the subsidiary coin, so far as

getting it to the people is concerned. My amendment, I repeat again, as offered simply puts into the bill that which the law for this year has, and does not increase the amount proposed to be appropriated by a single dollar.

Mr. TAWNEY. Mr. Chairman, I wish to say at the outset that the failure to carry the appropriation for the transportation of fractional silver is the result of inadvertence in making up the bill. I have the original bill from which it was made up, and the committee intended and supposed until now that that item was carried in this bill. It was the purpose of the committee, and no one thought otherwise until now to omit the appropriation of \$125,000 for the transportation of silver dollars. If the amendment of the gentleman from Ohio is voted down, I propose to offer an amendment restoring the item for the transportation of fractional currency.

Now, Mr. Chairman, when this matter was before the committee a year ago the Secretary of the Treasury was interrogated upon the question of the continuance of this practice of paying the expense of transporting the money from the subtreasury to the banks. The Secretary said: "I do not see the occasion for the Government paying for the transportation of silver any more. The reasons that existed in that provision do not exist now."

Now this transportation of silver dollars is primarily, Mr. Chairman, for the benefit of the express companies. It was demonstrated in the hearings and in the debate on this proposition at the last session that the abuses that have grown up under this provision in an appropriation bill has cost the Government thousands upon thousands of dollars every year. The House appropriated \$120,000 for this service in the last sundry civil appropriation act. There was a deficiency of \$10,000 which Congress had previously refused to grant. There is a deficiency estimated now, although we gave them \$130,000 last year. There is an item of deficiency of \$10,000 for the current year, and they estimate for the service \$125,000 for next fiscal year.

Mr. MONDELL. Will the gentleman yield for a question?

Mr. TAWNEY. Certainly.

Mr. MONDELL. If the Department used this sum and asked for more, why is it not given? Does not that indicate that there is a use for this appropriation and that there is a demand for it?

Mr. TAWNEY. There is certainly a demand for it. If the Government of the United States were to furnish clothing to the people of this country, there would be an enormous demand for an appropriation to pay the expenses of giving it to them, and there would be Representatives on this floor to defend the proposition. The service is a service that the Government is performing for the benefit of the banks of this country. Now the banks pay the cost of transporting the currency. There is no reason why the Government should continue longer the transportation of the silver dollars. At the hearings before the committee at the last session of Congress it was shown that there were cases where a great abuse occurred. One particular case was cited where a bank at Yonkers wanted several thousand silver dollars. They were shipped by the United States express up to Binghamton, 250 miles. Then they were transferred to another express company and shipped 240 miles farther, and then they were transferred to another express company and shipped to Yonkers, traveling a distance of over 500 miles, although the actual distance from the subtreasury in New York to the bank in Yonkers was only 27 miles.

Mr. GAINES of Tennessee. Does the gentleman think it is fair to punish the whole United States because they rob the Government in New York City?

Mr. TAWNEY. We are not punishing anybody by omitting this appropriation. If a bank in the city represented so ably by the gentleman from Tennessee [Mr. GAINES] desires to get \$5,000 from the subtreasury, that bank can obtain the money by paying the expense. That is a convenience to the bank. Why should the Government pay for that convenience any more than it should pay for any other convenience enjoyed by any other individual?

Mr. GAINES of Tennessee. A citizen goes to the bank, the receptacle for the money in the city and the country, and asks for silver money to pay—to whom? The negroes down South, the laboring people down South, who think first of God Almighty, then the Constitution, and then the silver dollar of the daddies.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAWNEY. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for two minutes. Is there objection?

Mr. CLARK of Florida. I object.

The CHAIRMAN. The gentleman from Florida objects.

Mr. TAWNEY. I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word, and the Chair will recognize the gentleman.

Mr. TAWNEY. Mr. Chairman, we have here the recommendation of the Secretary of the Treasury, a man charged with the responsibility of administration, a man who knows more about the practical operation of this law or the necessity for this appropriation than any man on the floor of this House.

Mr. MONDELL. What does he say?

Mr. TAWNEY. He recommends it.

Mr. KEIFER. Oh, no.

Mr. TAWNEY. At the last session of Congress.

Mr. KEIFER. Oh, no, no.

Mr. TAWNEY. Well, I have the hearings right here. I read:

I do not see the occasion for the Government to pay transportation of silver any more. The reasons that existed for that previously do not exist to-day.

And the hearing proceeds for four pages.

Mr. BURLESON. Will the gentleman yield?

Mr. TAWNEY. I yield to the gentleman from Texas.

Mr. BURLESON. I would like to ask the gentleman if this is not the true state of affairs: Do we not have a subtreasury in the city of New York; also one at Boston, one at Baltimore, and one at Philadelphia? Is it not true that every bank in those sections of the country, being in close proximity to a subtreasury, can secure silver coin at comparatively little expense? In the South and in the West we have no subtreasuries, the banks there being far removed from the subtreasuries, and consequently the burden is much greater on the banks in those sections of the country that want silver coin than upon banks closer to a subtreasury. Is it not unjust and unfair to those sections of the country—the South and West—where we do not have so many subtreasuries, to keep out this provision that was stricken from this bill last year, and not only subject the people there to great inconvenience, but an unjust expense?

Mr. TAWNEY. Why, Mr. Chairman, the logic of that contention would necessarily lead to the Government transporting everything—all classes of money for the banks—because some banks are farther removed from the subtreasury than other banks are.

Mr. SULLIVAN. Or of establishing a subtreasury in every village of the United States.

Mr. TAWNEY. Yes.

Mr. BURLESON. Mr. Chairman, that is the very contingency that I predicted a year ago would arise—that is, if this provision went out there would be immediately an increased demand for the establishment of subtreasuries, and the South, or rather the southeastern section of our country, is clamoring for the establishment of a subtreasury.

Mr. TAWNEY. Yes; and have been for fourteen years—ever since I have been in Congress.

Mr. BURLESON. Yes; and their demand ought to be met. The South ought to have another subtreasury.

Mr. TAWNEY. That may be true.

Mr. BURLESON. And, Mr. Chairman, Texas, for the Southwest, is also clamoring for a subtreasury at this very time, and it ought to have one, and I believe she will get it, unless this provision is again inserted in this bill.

Mr. TAWNEY. But it is not in consequence of a failure to secure a deficiency of \$10,000 during the last year that this demand for a subtreasury is coming up here from the South. The conditions that are demanding that are not related in the least to the proposition of the transportation of silver dollars.

Mr. BURLESON. But I do not agree with the gentleman.

Mr. TAWNEY. It is simply a gratuity to every bank in the United States, and the gentleman from Texas [Mr. BURLESON], as every other man who proposes it, knows that that is the fact, and that is why I believe we should cease appropriating \$135,000 every year for the transportation of silver dollars for the benefit of the banks of this country.

Mr. GAINES of Tennessee. Mr. Chairman, for ten years I have steadily in this House fought for the perpetuation of this appropriation to pay for transporting silver coin, etc. For a number of Congresses we were successful. For the last two or three Congresses we have failed. Why, Mr. Chairman, was it ever inserted in an appropriation or elsewhere? Why was it ever the law? For the reason that the silver dollar, being heavy, it was claimed that it would not *actually* circulate and help to transact the financial business of the country. We all know to a large extent that was the fact before we substituted the silver certificate to represent the heavy silver dollar. I want the gentleman from Minnesota particularly to listen now to a few things I am going to tell him. Mr. Chairman, his

party—and I am not going to make a party question or a silver issue here. The subject is way above either; it involves the welfare of a large portion of this country—South and West—which can not get the silver dollar to use in the transaction of their business. The people of the South and West are particularly devoted to the silver dollar as a piece of money for the transaction of business and as a circulating medium. They can not get it under the present law unless, Mr. Chairman, they send away off to some subtreasury for the purpose of getting it, and pay the express charges on it. Recently Secretary Shaw has been South and has been West, and voluntarily said to the people in the Southwestern portion of this country: "If you will get together and agree on a suitable location or city where we can build a subtreasury, I will recommend it." That was done, and Birmingham selected; but the matter was carried before the Ways and Means Committee, and by a nonpartisan vote of 7 to 6, or something like that, it was defeated; so we have only one subtreasury in the South, and that is at New Orleans. The people of Kentucky, Tennessee, and Arkansas, and the whole Southeast must send to New Orleans, where possibly they may get it. The Middle West is in about the same fix.

Mr. GROSVENOR. I want to ask the gentleman who is the authority for saying Secretary Shaw recommended the establishment of another subtreasury?

Mr. GAINES of Tennessee. Well, it was pretty hard to get at exactly what he did say, I will say to my friend from Ohio.

Mr. GROSVENOR. The committee understood from his letter that he thought it was advisable, so far as the interests of the Government were concerned—

Mr. GAINES of Tennessee. I did not catch what the gentleman said.

Mr. GROSVENOR. We construed his letter as undertaking to say, and did say, that, so far as the interests of the Government were concerned, he did not think it was necessary to establish another subtreasury; but then he went on to say that if we did establish one in the Southeast, he thought we ought to establish one or two more in the Northwest.

Mr. BURLESON. I want to ask the gentleman before he takes his seat did he not also say that there ought to be two or three treasuries in the East abolished?

Mr. GROSVENOR. He said if we established any more in the South and Northwest we might with great propriety do away with some of those already existing.

Mr. GAINES of Tennessee. I thank the gentleman from Ohio for the statement he has made. Now, my information, and I have a letter written to me in which Secretary Shaw said—

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES of Tennessee. I have been interrupted and I am much interested in this. I ask for five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GAINES of Tennessee. Now, the Secretary, whom we are always glad to hear and entertain royally, went down South. He saw the need of a subtreasury, not for the benefit of the Government possibly, but for the benefit of the commerce of this country, the people who after all in this great Republic are the Government.

Now, then, suppose a subtreasury had been established at Birmingham, where he agreed to establish it, or at Atlanta, which fought so vigorously for it. The people in that section of the country, if they must pay the freight—I want to say to the gentleman from Minnesota [Mr. TAWNEY], who is close to the doors of Chicago—could get the silver at less freight than sending away off to Philadelphia, or to Baltimore, or to the city of Washington, or to Cincinnati, or to St. Louis. As it is, we have no subtreasury where they can even get cheap freight rates to haul these dollars to the people that want to transact their business with them.

Now, then, there is the distinguished gentleman from Ohio [Mr. GROSVENOR] who frequents—and I am glad he does—the South. He has been a great friend, I know, for years in this House of the southern people, their institutions, their wants, and their petitions. I bear personal witness to the fact. He voted to establish a subtreasury in the South. Why? Not because the Government, as such, needed it, but because the people of that country want it, people who are entitled to some of the conveniences and to some of the pleasures of not being oppressed. They have protested against the highway robbery imposed by the express companies, that great monster that has been robbing the Government and robbing the people. In face of this want and this robbery the people ask this pittance, and yet it is denied.

Another distinguished son of Ohio [Mr. KEIFER] favors this appropriation. The laboring people of the South, the negroes of the South, who believe in the silver dollar and want that and nothing else, and the white people of the South and the people of the West want it. And yet in this day of liberal appropriations to do this, that, and the other the commerce of the country is to be curtailed, the people are to be denied the money they want and that they are entitled to have because express companies charge too much for hauling it. And yet the committee comes along and omits the usual appropriation, and now, I believe, goes a step further in this bill and says that if the bank puts so much money in the treasury or treasuries the Government will haul the small silver coins only. How can they do so in Nashville? There is no treasury or subtreasury there. How can they do it in Memphis? There are none there. How can they do it in Atlanta? There are none there. How can they do so in Florida? There are none there. How in Alabama? There are none there. How in Louisiana? There are none there. How in Arkansas? None there. How in the Middle West? None there. Where are we going to find a treasury or subtreasury in these sections South and West, I will ask my friend from Minnesota [Mr. TAWNEY]? There are no treasury conveniences there. And yet you would have the people, before they could get the benefits of the hauling of even these little silver coins, put them in a place that the gentleman himself knows does not exist in these sections, thus requiring them to meet an impossible condition and without the people's fault.

Mr. KEIFER. Mr. Chairman, I understand that the gentleman who has made the objection to letting this paragraph go over withdraws his objection. I renew the motion that it go over.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. GAINES] yield to the gentleman from Ohio [Mr. KEIFER]?

Mr. GAINES of Tennessee. I yield the floor to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. Mr. Chairman, I make the motion that it go over.

The CHAIRMAN. The gentleman from Ohio moves that the paragraph go over without prejudice until to-morrow, and that his amendment be pending when the paragraph is again called up. Is there objection?

There was no objection.

Mr. WILLIAMS. Mr. Chairman, I now suggest, but in no dilatory spirit, but because my eyes seem to convince me, that there is no quorum present.

The CHAIRMAN. The gentleman from Mississippi makes the point of no quorum. Does the gentleman state that he does this sincerely and not in a dilatory spirit?

Mr. WILLIAMS. I say it because after an effort to count the membership present I can not count a quorum.

Mr. TAWNEY. I desire to say that there is a quorum, not on the floor, but that the gentlemen are down in the restaurant getting their dinners.

Mr. WILLIAMS. I never yet heard the quorum in the restaurant being counted.

Mr. TAWNEY. And we will have a quorum inside of five minutes.

Mr. WILLIAMS. They ought to be here to listen to this bill, and listen to what is going on, if they are in the restaurant now.

The CHAIRMAN. The gentleman says he makes the motion in sincerity and not in a dilatory spirit, so the Chair will count. [After counting.] The Chair has counted 104 gentlemen; a quorum is present. The Clerk will read.

The Clerk read as follows:

General inspector of supplies for public buildings: For one general inspector, under the direction of the Secretary of the Treasury, to be appointed by the President, by and with the advice and consent of the Senate, who may be required to inspect public buildings under the control of the Treasury Department, and report on the efficiency of the custodians' forces, and the use of fuel, lights, water, miscellaneous supplies, and so forth, \$3,000; and for actual necessary traveling expenses, not exceeding \$2,000; in all, \$5,000.

Mr. PERKINS. I reserve the point of order on the section last read. I reserve it from the fact that on the face it seems that the point of order ought to be good. It is on page 50, for inspector.

The CHAIRMAN. What is the point of order?

Mr. PERKINS. The point of order is that it is new legislation, and the reason I make it, I will state to the gentleman from Minnesota, is this: Here is a provision that, Mr. Chairman, provides for a general inspector to be appointed by the President to inspect public buildings, to ascertain in reference to the custodians' force, the use of fuel, light, water, etc., at an expense not to exceed \$5,000. Now, the next paragraph in the bill authorizes the employment of another person to inspect public buildings, to examine into their requirements for fur-

niture and other furnishings, including fuel, light, personal service, at an expense of \$5,500 a year. So far as I am able to see, Mr. Chairman, it would appear on its face; apparently and avowedly, it is not in order, if he is to be appointed by the President. Then we have two sections providing for the employment of two Government employees whose duties are almost exactly identical. I reserve the point of order in order that the gentleman in charge of the bill may tell us something about this provision. On the face of it it is a double provision for the same work.

Mr. TAWNEY. I think the gentleman from New York is mistaken about that. The duties of the first position relate entirely to inspecting buildings and the appliances; the other relates more especially to the inspection of furniture, supplies, etc. I will say, further, Mr. Chairman, that when the sundry civil bill in the last session of Congress was reported the first item was omitted entirely. I do not pretend to defend it, although we have tried to put it in a shape so that part of the duty heretofore performed by the man under the second paragraph shall be put on the man who is appointed under the first paragraph, and hope to make the place of some use to the Government. The item has been carried for a great many years in the sundry civil bill. It has been knocked out in the House; it has been omitted when reported from the committee; but it always comes back with that item, and the conferees on the part of the House have never yet been able to keep that item out.

Mr. LITTLEFIELD. I would like to inquire why one inspector can not do both things?

Mr. PERKINS. That is just what I wanted to know.

Mr. TAWNEY. One, the inspector of furniture, does not inspect the furniture in the buildings. He is at the factory where the furniture is manufactured. Of course one inspector can not do this. It is impossible, I will say, for one inspector to inspect all the Government buildings in this country. It can not be done with one man. There is, in addition to this, a further inspection force in the Department, under the Supervising Architect; but this man has a roving commission, and is under the direction of the Secretary of the Treasury, and is the only employee of the Government receiving a salary such as he does whose appointment must be confirmed by the Senate of the United States.

Mr. LITTLEFIELD. I would like to inquire why it is—

The CHAIRMAN. The discussion is proceeding in the time of the gentleman from New York.

Mr. LITTLEFIELD. I so understand. I would like to inquire why it is that he is to report on the efficiency of the custodian's force. There is only one that has power to do that all over the country. The second man does not have any such power. I assume that one of the men will travel all over the United States inspecting. Now, while he is traveling, why not inspect the others?

Mr. TAWNEY. He could, and he should.

Mr. PERKINS. I think the chairman of the committee agrees with me in the construction put on the paragraph.

Mr. TAWNEY. I do not think the paragraph is subject to the point of order.

The CHAIRMAN. What authority of law is there for it?

Mr. LITTLEFIELD. Nothing except in the annual appropriation bills.

Mr. TAWNEY. It is an established service, provided for in the appropriations of previous Congresses, and for a great many years.

Mr. PERKINS. I understand that the gentleman in charge of the bill concedes that this point of order has been sustained. Furthermore, let me call attention to the fact that in this section additional duties are imposed, which in itself is new legislation, even if the other were not, and therefore the entire section is subject to the point of order.

The CHAIRMAN. In the absence of special authorization, which has not been produced, the Chair is clearly of the opinion that it is obnoxious to the rule, and the Chair sustains the point of order.

Mr. TAWNEY. That is, to the first paragraph.

Mr. PERKINS. I only made it to the first paragraph.

The CHAIRMAN. The one to which the point of order was made.

Mr. TAWNEY. I understood the point of order was made only to the first paragraph.

Mr. PERKINS. Beginning at line 18, page 50, and ending at line 2, page 51.

The CHAIRMAN. As to that paragraph, the point of order is sustained. The Clerk will read.

The Clerk read as follows:

Inspector of furniture and other furnishings for public buildings: To enable the Secretary of the Treasury to employ a suitable person to

inspect all public buildings and examine into their requirements for furniture and other furnishings, including fuel, lights, personal services, and other current expenses, \$2,500; and for actual necessary traveling expenses, including actual traveling expenses of assistant, not exceeding \$3,000; in all, \$5,500.

Mr. CLARK of Florida. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CLARK of Florida. I make the point of order against the paragraph just read, from line 3 down to and including line 11, on page 51.

The CHAIRMAN (Mr. LITTLEFIELD). The Chair understands that this is situated precisely as the other paragraph was with reference to the point of new legislation.

Mr. TAWNEY. No; the situation is not the same, Mr. Chairman. This is an office made necessary by reason of the service incident to the inspection of furniture and furnishings for public buildings which are constructed in accordance with law.

The CHAIRMAN. Is it an office created by law, other than the annual appropriation bill?

Mr. TAWNEY. I do not think it is.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For assistant inspector of furniture and other furnishings for public buildings, \$1,600.

Mr. CLARK of Florida. I make the point of order against lines 12 and 13, on page 51.

The CHAIRMAN. The Chair will inquire of the chairman of the committee whether it is subject to the same legal construction?

Mr. TAWNEY. It is.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Furniture and repairs of furniture: For furniture and repairs of same, carpets, and gas and electric-light fixtures for all public buildings, exclusive of marine hospitals, mints, branch mints, and assay offices, under the control of the Treasury Department, and for furniture, carpets, gas and electric-light fixtures for new buildings, exclusive of personal services, except for work done by contract, \$352,500. And all furniture now owned by the United States in other public buildings and in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

Mr. CLARK of Missouri. Mr. Chairman. I move to strike out the last word for the purpose of getting some information. How did the committee arrive at the conclusion that it would take \$352,500 to do this particular thing?

Mr. TAWNEY. This is an appropriation for the furnishing of new public buildings, and the appropriation is made upon a careful estimate of the Department.

Mr. CLARK of Missouri. You have an itemized account somewhere, have you?

Mr. TAWNEY. I can not say that we have the statements specifically itemized, but we had the Supervising Architect before us and he gave us this information:

The CHAIRMAN. The next item is on page 88, "Furniture and repairs of furniture," and I observe that the estimate for 1908 is \$352,500, as against \$495,400.

Mr. LUDLOW. Yes, sir.

The CHAIRMAN. A material reduction in the appropriation?

Mr. LUDLOW. Yes, sir; we have been informed by the Supervising Architect's office that there will be only two buildings that will be furnished this year, and those are the buildings at Baltimore and Seattle.

The CHAIRMAN. Only two buildings to be furnished this year?

Mr. LUDLOW. Yes, sir.

The CHAIRMAN. In the fiscal year 1908?

Mr. LUDLOW. Yes, sir; that is all we have an estimate for. There will be eight buildings, but I did not change the estimate.

The Chief Clerk of the Treasury Department is the man who has supervision of the purchase of furniture, and also of the repairs to furniture, and it is upon the information that he furnishes in regard to the matter that we have made this recommendation.

Mr. CLARK of Missouri. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Fuel, lights, and water for public buildings: For the purchase of fuel, steam, light, water, water meters, ice, lighting supplies, electric current for light and power purposes, and miscellaneous items for the use of the custodian's forces in the care of the buildings, furniture, and heating, hoisting, and ventilating apparatus, and electric-light plants, exclusive of personal service, and for expenses of installing electric-light plants, electric-light wiring, and repairs thereto, in such buildings completed and occupied as may be designated by the Secretary of the Treasury, for all public buildings, exclusive of marine hospitals, mints, branch mints, and assay offices, under the control of the Treasury Department, inclusive of new buildings, \$1,350,000. And the appropriation herein made for gas shall include the rental and use of gas governors, when ordered by the Secretary of the Treasury in writing:

Provided, That no sum shall be paid as rental for such gas governors greater than 35 per cent of the actual value of the gas saved thereby, which saving shall be determined by such tests as the Secretary of the Treasury shall direct. No portion of the amount herein appropriated shall be used for operating a system of pneumatic tubes for the transmission of postal matter.

Mr. MANN. Mr. Chairman, I reserve a point of order on the last sentence. I want to ask the chairman of the committee what is the purpose of making a positive statement here that no portion of the amount appropriated shall be used for operating a system of pneumatic tubes for the transmission of postal matter?

Mr. TAWNEY. The purpose of this is to prevent the making of contracts for pneumatic-tube service that properly belongs to the Post-Office Department. That should be made out of the post-office appropriation.

Mr. MANN. I thought that possibly the Department might conclude, when putting in conduits for other things, to put in a conduit for pneumatic-tube service.

Mr. TAWNEY. I will say to the gentleman that the committee has recommended to the House a provision authorizing an investigation of the advisability of a pneumatic-tube service between the Capitol and the Government Printing Office and other Departments and to report at the next session of Congress.

Mr. MANN. I withdraw the point of order.

Mr. CLARK of Florida. Mr. Chairman, I renew the point of order.

Mr. TAWNEY. What is the gentleman's point of order?

Mr. CLARK of Florida. That it is new legislation, as I understand it.

Mr. TAWNEY. It is not new legislation; it is a limitation upon the appropriation.

The CHAIRMAN (Mr. LITTLEFIELD). Does the gentleman from Florida wish to be heard upon the point of order?

Mr. CLARK of Florida. I do not.

The CHAIRMAN. The Chair is of opinion that it is a limitation, and overrules the point of order.

The Clerk read as follows:

Hen and Chickens light vessel, Buzzards Bay, Massachusetts: For completing the construction, equipping, and outfitting complete for service, a steel, steam, self-propelling light vessel, with a steam fog signal, \$65,000.

Mr. MANN. Mr. Chairman, I move to strike out the words "Hen and Chickens." The authorization is for a light vessel at the entrance to Buzzards Bay to take the place of the Hen and Chickens light vessel. It might not be located at that exact place.

Mr. SMITH of Iowa. I see no objection, Mr. Chairman, to the proposed amendment, but I want to say that the language of the item is that proposed by the Department.

Mr. MANN. I understand.

The amendment was agreed to.

The Clerk read as follows:

Milwaukee breakwater and harbor of refuge, Wisconsin: For establishing a light and fog signal on the Milwaukee breakwater, Lake Michigan, Wisconsin, \$50,000.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Amend by adding after the word "dollars," in line 17, page 61, the following: "Provided, That this amount and that hereafter appropriated and the authorization to contract therefor is hereby made available, applicable, and in force for the establishment of said light and fog-signal station on the south end of the proposed extension of the breakwater, harbor of refuge."

Mr. SMITH of Iowa. Mr. Chairman, I have no objection to the adoption of the amendment.

The question was taken; and the amendment was agreed to.

Mr. CLARK of Florida. Mr. Chairman, I would like to inquire of the chairman of the committee if establishing a light and fog-signal station on the Milwaukee breakwater, Lake Michigan, is for the initial establishment of that station?

Mr. SMITH of Iowa. It was authorized by the act of Congress last year.

Mr. CLARK of Florida. Authorized by existing law?

Mr. SMITH of Iowa. Yes. If the gentleman had observed the language of the amendment just adopted he would see that it slightly changes this location.

Mr. CLARK of Florida. I gathered from the reading of the amendment that there had been some legislation on the matter.

Mr. SMITH of Iowa. It has been authorized.

Mr. STAFFORD. The reason for the amendment is a provision in this year's river and harbor bill extending the breakwater a thousand feet southerly. This light and fog-signal station was authorized last year to be located on the present southerly end of the breakwater. The location having been defined, and a change in the breakwater and the site of the proposed light having been decided upon, it is necessary to make available

and effective the authorization and the appropriation for the new site that this amendment be adopted, else the light would not be erected, as the present end of the breakwater would be entirely unsuitable to the needs of navigation after it will be extended 1,000 feet. No more money will be needed by virtue of the changed location, merely a new site made necessary by the extension of the breakwater.

The Clerk read as follows:

Martins Reef light vessel, northwestern end of Lake Michigan, Michigan: For completing the construction, equipping, and outfitting, complete for service, of a steel, steam self-propelling light vessel, with a steam fog signal, \$20,000.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 62, lines 14 and 15, strike out the words "steel, steam self-propelling;" and before the word "fog," strike out the word "steam."

Mr. MANN. Mr. Chairman, the reason of this is that since the estimates came in some information has come to the Light-House Board which I think renders this necessary. This is for a light vessel which costs \$45,000, much less than the usual light vessel would cost. There is already an appropriation for a light vessel on the Lakes that is to cost \$60,000, and it was provided in that act that it should be a steam vessel. The Light-House Board recently called the attention of the Committee on Interstate and Foreign Commerce to the fact that they might want to substitute some other motive power, and we included in the bill that has passed Congress as to the other vessels the authority to substitute some other motive power, and this would leave it in their discretion, as it left in the original authorization.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Pay of office force: For one disbursing agent, \$2,500.

Mr. CLARK of Missouri. Mr. Chairman, I move to strike out the last word for the purpose of getting some information. What about this disbursing agent? What necessity is there for a disbursing agent in every separate division in every Department of the Government? What is the reason that they can not keep the accounts in the Treasury?

Mr. SMITH of Iowa. Well, as I understand that work, this branch of the service is entirely away from the departmental buildings, where it constitutes in effect a separate and distinct office. It is quite customary to have a separate disbursing branch of this kind, and this has long existed.

Mr. CLARK of Missouri. How much money does this Geodetic Survey, or whatever it is, expend altogether—the sum total of it?

Mr. SMITH of Iowa. About a million dollars a year.

Mr. CLARK of Missouri. The other day in some bill they provided for a disbursing agent to disburse \$75,000.

Mr. SMITH of Iowa. I would regard that as a very liberal allowance, to allow a disbursing agent for that amount of money.

Mr. CLARK of Missouri. It would not take me very long to disburse \$75,000 myself, if I had it. I do not see much sense in this business.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Inquiry respecting food-fishes: For expenses of the inquiry into the causes of the decrease of food-fishes in the lakes, rivers, and coast waters of the United States, and for the study of the waters of the interior, the Atlantic, Gulf, and Pacific coasts in the interest of fish culture and the commercial fisheries, expenses of travel and preparation of reports, and for all other necessary expenses in connection therewith, \$20,000.

Mr. TAWNEY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 88, line 8, strike out the word "twenty" and insert in lieu thereof the word "twenty-five."

Mr. TAWNEY. Mr. Chairman, I will state that this restores the appropriation that has been heretofore appropriated for this particular branch of the service and has been carried for many years. Since the bill has been reported to the House the committee has had information which has led the committee in charge of this bill to believe it was necessary to restore the amount.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Enforcement of the Chinese-exclusion act: To prevent unlawful entry of Chinese into the United States, by the appointment of suitable officers to enforce the laws in relation thereto, and for expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expense of conveyance of Chinese persons to the frontier or seaboard for deportation, \$500,000, which shall be paid from the permanent appropriation for expenses of regulating immigration, and of said sum \$1,000 per annum shall be paid to the Commissioner-General of Immigration as additional compensation.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. Last year, Mr. Chairman, it was disclosed that orders had been given to the Commissioner-General of Immigration not to be particularly active in the enforcement of the Chinese-exclusion act. I desire to ask the chairman of the Committee on Appropriations if he has any knowledge as to whether that order has been withdrawn?

Mr. TAWNEY. I do not understand the order the gentleman refers to.

Mr. FITZGERALD. Last year it was made known that the Commissioner of Immigration had been instructed not to be particularly active in the enforcement of the Chinese-exclusion act. That was very apparent from the hearings.

Mr. TAWNEY. I would say to the gentleman from New York that the subcommittee did not go into the question at all at this session as to the enforcement or nonenforcement of the Chinese-exclusion act. I have no information at all as to what has been done since the hearings.

Mr. FITZGERALD. I assume it was not because the gentleman feared that perhaps the same situation might be disclosed.

Mr. TAWNEY. No; it was not because of any fears, but for lack of time.

Mr. FITZGERALD. At that time the gentleman recollects it seemed a very extraordinary thing that any official should be instructed not to enforce the law.

Mr. TAWNEY. As I now recall, the Commissioner of Immigration, when before the committee a year ago, did not state he had been instructed not to enforce it.

Mr. FITZGERALD. It was not to make himself particularly obnoxious by deporting the Chinamen who were apprehended, and he admitted he had acted upon the suggestion. I have not had the chance to look at the hearings on the question.

Mr. TAWNEY. There is nothing in the hearings on the subject at all.

The Clerk read as follows:

Bureau of Immigration and Naturalization: For the purpose of carrying into effect the provisions of the act approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," namely: For chief of division of naturalization, \$3,000; assistant chief of division, \$2,500; two clerks of class 4; two clerks of class 3; four clerks of class 2; six clerks of class 1; four clerks, at \$1,000 each; two copyists, at \$900 each; one messenger; one assistant messenger; and for rent, \$4,000; in all, \$36,460.

Mr. SULLIVAN. Mr. Chairman—

The CHAIRMAN. The Clerk had not concluded reading the paragraph.

Mr. SULLIVAN. I thought the Clerk had finished reading the paragraph which ends on line 2, page 91. I desire to strike out the last word.

The CHAIRMAN. Does the gentleman from Massachusetts desire to call attention to the paragraph in regard to the Bureau of Immigration and Naturalization?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. The Chair will recognize the gentleman, because he was seeking recognition. Does the gentleman move to strike out the last word?

Mr. SULLIVAN. Yes; I move to strike out the last word. I should like to have the attention of the chairman of the committee. Was it not the purpose, I would like to ask the chairman, to offer an amendment to this paragraph to restore the salary of the Chief of the Division of Naturalization to \$3,500 instead of \$3,000? I had supposed an amendment would be offered to that effect.

Mr. TAWNEY. I have no objection to the amendment. Since the bill has been reported the Commissioner-General of Immigration has called my attention and the attention of other members of the committee to the fact that this division chief is now performing some very important service. He is a very capable man, and I have no objection to the gentleman from Massachusetts, if he desires, offering an amendment increasing the salary to \$3,500.

Mr. SULLIVAN. I want to know if the gentleman's understanding of the case is the same as mine; that is to say, that the work of this division is of such importance that it requires a very competent man and that the particular chief is a very

competent man and is actually worth \$3,500? The Immigration Commissioner, who is the superior of this division chief, recommends that he receive \$3,500.

Mr. TAWNEY. I think that is the fact. The work is perhaps more important there now because the division is going through a formative period at present, and the salary which he is receiving under the lump-sum appropriation is \$3,600, but I would not consent to making it \$3,600 in the case of this chief of division, because it would be a greater salary than that paid to any other chief of division in the public service.

Mr. SULLIVAN. Mr. Chairman, I withdraw the pro forma amendment and offer another amendment, in line 19, page 90, insert the word "five" after the word "thousand" and before the word "dollars;" so as to read "\$3,500."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 19, page 20, after the word "thousand" insert "five hundred;" so as to read "\$3,500."

Mr. CLARK of Florida. Mr. Chairman, I make the point of order to the amendment.

The CHAIRMAN. Does the gentleman make it or reserve it?

Mr. CLARK of Florida. I make it.

The CHAIRMAN. Does the gentleman from Massachusetts

desire to be heard on the point?

Mr. SULLIVAN. I would like to have the gentleman from Florida be heard as to the grounds upon which he makes his point of order.

Mr. CLARK of Florida. It is either an increase of salary, or it is a new salary.

Mr. TAWNEY. The point of order comes too late. There has been an amendment offered and debate has already been had on the paragraph.

Mr. CLARK of Florida. I make the point of order, Mr. Chairman.

Mr. TAWNEY. The point of order does not lie even against the amendment to the paragraph after it has been debated.

The CHAIRMAN. The Chair understands that the gentleman from Massachusetts [Mr. SULLIVAN] offered an amendment to this paragraph, and that the—

Mr. TAWNEY. He offers an amendment which increases the salary of the chief of this division. The item itself is subject to a point of order, because it is not a statutory position.

The CHAIRMAN. The Chair thinks so.

Mr. TAWNEY. But a point of order was not made. Debate had been had on this particular item on the pro forma amendment, and amendment had been offered.

The CHAIRMAN. The suggestion of the gentleman from Minnesota [Mr. TAWNEY] is correct, that the paragraph is subject to the point of order.

Mr. TAWNEY. The paragraph is subject to the point of order, because this item is not a statutory position.

The CHAIRMAN. That had not been suggested before, and if the gentleman insists that it is subject to a point of order, then the point of order of the gentleman from Florida [Mr. CLARK] against the amendment of the gentleman from Massachusetts [Mr. SULLIVAN] does not lie and is not well taken.

Mr. CLARK of Missouri. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. Suppose the amendment of the gentleman from Massachusetts were adopted or defeated, it does not make any difference which, then has not the gentleman from Florida the right—

The CHAIRMAN. Not at this time, the Chair will state to the gentleman from Missouri [Mr. CLARK], because debate has been had on the paragraph, and the point of order comes too late.

Mr. CLARK of Missouri. Suppose somebody would hop up here and commence debating a paragraph before the fellow that wanted to offer a point of order had a chance to get it out.

The CHAIRMAN. The point of order must also be ready to hop.

Mr. CLARK of Missouri. That would resolve itself simply into an activity of the legs.

The CHAIRMAN. The Chair will state to the gentleman from Missouri [Mr. CLARK] that every presiding officer will give ample opportunity for any Member to reserve the point of order or to make it; but considerable discussion was had on this paragraph before the gentleman from Massachusetts had offered his amendment, and it was not until then that the gentleman from Florida [Mr. CLARK] sought to raise the point of order. Much debate had been had on the paragraph itself before a point of order was raised, and it is a well-known rule that where the paragraph itself is obnoxious to the rule the

point of order will not lie on an amendment which is obnoxious also. Therefore the Chair overruled the point of order made by the gentleman from Florida [Mr. CLARK].

The gentleman from Massachusetts moved to strike out the last word and much debate was had on the original paragraph before he withdrew the pro forma amendment and offered the other amendment. The other amendment, even though it be out of order, is made to a paragraph which of itself is out of order. The Chair overrules the point of order made by the gentleman from Florida [Mr. CLARK]. The question is on the amendment offered by the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. TAWNEY. Mr. Chairman, I accept the amendment.

Mr. SULLIVAN. Mr. Chairman, the officer in this case, while performing other duties, was in receipt of \$3,000 per year, and now the adoption of this amendment will result in giving him \$3,500 a year, which is the largest he could receive as chief of division—that is to say, comparing it with other chiefs of division. The gentleman himself is a lawyer and he is about to inaugurate this new system which has been created under the law passed last year establishing a Bureau of Immigration and Naturalization. There is no question but that the service demands a man capable of earning this salary, and this man is one entirely competent to earn the salary. So on its merits it is a proposition the House ought to adopt.

Mr. CLARK of Florida. Mr. Chairman, I now make the point of order to the paragraph as amended.

The CHAIRMAN. The paragraph has not yet been amended.

Mr. CLARK of Florida. I understood the chairman of the committee to accept the amendment.

The CHAIRMAN. The Chair has not so understood. The Chair is about to put the question. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and the amendment was agreed to.

Mr. CLARK of Florida. Now, Mr. Chairman, I make the point of order against the paragraph as amended.

Mr. TAWNEY. I make the point of order that that point of order comes too late.

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from Minnesota that the point of order made by the gentleman from Florida comes too late.

The Clerk read as follows:

Census Office: To carry out under the Census Office the provisions of the act to authorize the Secretary of Commerce and Labor to investigate and report upon the industrial, social, moral, educational, and physical condition of woman and child workers in the United States, approved January 29, 1907, \$150,000, to be immediately available.

Mr. CRUMPACKER. I desire to move an amendment to the paragraph, by striking out the words "Census Office," in lines 9 and 10, on page 91, and inserting in lieu thereof "Bureau of Labor;" and also strike out the subtitle "Census Office" and insert "Bureau of Labor."

The Clerk read as follows:

In line 9 strike out "Census Office" and insert "Bureau of Labor;" and at the end of line 9, and beginning of line 10, strike out "Census Office" and insert "Bureau of Labor."

Mr. CRUMPACKER. Mr. Chairman, this amendment may take some little time in its consideration, and I would like to have it carried over. I ask, therefore, unanimous consent that the paragraph be passed without prejudice.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the pending paragraph be passed without prejudice.

Mr. CLARK of Florida. I object.

The CHAIRMAN. The gentleman from Florida sees fit to object. Does the gentleman desire to be heard on his amendment?

Mr. CRUMPACKER. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. CRUMPACKER. This is quite an important proposition. A month or two ago Congress passed a law authorizing the Secretary of Commerce and Labor to make an exhaustive investigation into the industrial, social, moral, and physical condition of woman and child workers in the United States. The investigation is one of a great deal of importance—one that has excited much interest throughout the country—and the investigation ought to be thoroughly made. It ought to be made by the Bureau of the Government that is particularly identified with the subject of labor. The investigation is not statistical or economic; it is rather a sociological, a moral investigation. It contemplates the investigation of the sanitary and the moral and the physical conditions of women and children in the factories and the mines of the country. The Census Office is not adapted to that kind of investigation. The Census Office is essentially a statistical office. It makes census investigations,

census examinations, and reports its conclusions. They are colorless in that they are absolutely free from recommendation, free from bias, and they are valuable only for those who have use for statistics. Now, the labor organizations of the country are insisting that this investigation shall be made by the Bureau of Labor. The President of the United States, my recollection is, some few months ago—I think perhaps during the last term of Congress—addressed a special message to the Congress, asking that this investigation be authorized, and that it be made by the Bureau of Labor because of the fact that the Bureau of Labor is in sympathy with labor.

Mr. TAWNEY. If this will be of any service to the gentleman, I would suggest that he read the letter of the President, recommending that this investigation be made by the Bureau of Labor.

Mr. CRUMPACKER. I thank the gentleman. I had not read the letter published in this evening's paper. It is a letter addressed to the Secretary of Commerce and Labor; and, Mr. Chairman, I will send the letter to the Clerk's desk and have it read in my time.

The Clerk read as follows:

FEBRUARY 20, 1907.

MY DEAR MR. STRAUS: The investigation into the conditions of woman and child labor should, in my judgment, unquestionably be made by the Bureau of Labor. This is not merely a statistical investigation. If it were, it would be eminently proper to have the Census Bureau conduct it; but as it is, the Census Bureau strongly objects to undertaking the work. Director North has protested before the committee dealing with the sundry civil appropriation bill against having to undertake this work, saying that he did not regard himself as in any way competent to carry on the work because of its being of a kind in which he had no experience whatever, adding: "It is a kind of work which is foreign to the whole theory of a census office, and it belongs to the Bureau of Labor." In short, to intrust the work to the Census Office instead of to the Bureau of Labor is to frustrate the entire purpose of undertaking the investigation. The proposed investigation is to bear fruit in legislation, if possible, by the National Congress; if not, then by the State legislatures, in consequence of the publication of the facts produced by the Bureau of Labor—always provided, of course, that the investigation shows the necessity of any legislation whatever.

PRAISES LABOR BUREAU.

I can not too strongly state that, in my judgment, the investigation will be shorn of a very large part of the good results we have a right to expect from it if it is not confided to the Bureau of Labor. Matters concerning labor conditions should properly be investigated by the Bureau of Labor. Any effort to minimize the functions of the Bureau by taking away from it these investigations should not succeed, especially when the real objection to the Bureau is that it has done the work allotted to it in first-rate shape; as, for instance, in the case of the packing-house investigation last spring. It seems to me inadvisable, for every reason, to penalize the Bureau of Labor for the excellent investigations it has made—as, for instance, in this packing-house matter—by taking away from it the right to make such investigations in the future. The Bureau was organized to advance the legitimate interests of labor. I would not for one moment tolerate its acting in a demagogic spirit or its failing to pay just as much heed to the rights and interests of the capitalist who is acting decently as to those of the wage-worker who is acting decently; but I have not seen the slightest symptom of any dereliction of duty by the Bureau or its Chief, Mr. Neill, and it does not seem wise to give the impression that we are penalizing the Bureau because it has in proper fashion sought to represent the labor interests of the country.

Sincerely, yours,

THEODORE ROOSEVELT.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRUMPACKER. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for five minutes. Is there objection?

Mr. CLARK of Florida. I object.

The CHAIRMAN. The gentleman from Florida objects.

Mr. CRUMPACKER. I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana moves to strike out the last word, and is recognized for five minutes.

Mr. CRUMPACKER. Mr. Chairman, I desire to call the attention of the committee to a statement made by the Director of the Census in the hearings before the Committee on Appropriations on this particular proposition. Commissioner North said:

The work which the Census Office has published in this bulletin—

That is, the recent bulletin upon child labor, a statistical bulletin, of great interest and value, recently published by the Census Office—

The work which the Census Office has published in this bulletin, and is about to publish in the bulletin regarding women, completes the investigation of this subject so far as the census methods are concerned. You can readily understand that I mean by that that the census method deals only with the statistics on any given subject and presents its reports without drawing conclusions as to what ought to be done; and the value of a census report depends, in my judgment, upon the success of the compilation in making it absolutely colorless, so far as the expression of any political or religious or any other judgment in regard to what those figures show is concerned. They can only be analyzed from the economic and statistical point of view, if the Census Office is to command the confidence of people of all opinions.

Mr. North further says:

I am speaking about the Census Office, Mr. Chairman. The Department of Labor, or the Bureau of Labor, is, as I understand it, a bureau

established for investigating and reporting upon the welfare of employees of the laboring classes of this country, and the method of that Bureau is partly statistical and partly intensive, as the work has been used. They do go into many phases of investigation which are foreign to census work. They would go into a mine and report the conditions, the atmosphere, the temperature, and other conditions of health, which prevail in that mine.

Mr. TAYLOR. The physical situation.

Mr. NORTH. Yes; and those are phases of work with which the Census Office has nothing to do.

Mr. TAYLOR. And ought not to have anything to do with.

Mr. NORTH. And ought not to have anything to do with. And that is, as I understand it, the phase of this investigation of women and child labor which remains to be done in addition to the publication of these two census bulletins, and it is a phase of the question with which we have nothing to do. Therefore, since we have completed our share of the work, I regret to see that the Census Office has been included in the law just enacted on the subject of women and child labor.

In the law authorizing this investigation it was provided that the Secretary of the Department of Commerce and Labor might utilize the Census Office in making the investigation, and the Director regrets that the Census Office is connected with the subject at all. Further:

The CHAIRMAN. Nevertheless it would be entirely competent for Congress, under this law, and for this committee, in recommending an appropriation for this investigation, to confine it exclusively to your Bureau, would it not?

Mr. NORTH. Congress has power to do almost anything.

The CHAIRMAN. If it did, you have the organization now with which to make the investigation, have you not?

Mr. NORTH. We have, undoubtedly.

The CHAIRMAN. And it does not involve or necessitate the forming of a new organization. You have your organization perfectly formed, and you can work under your present plan and go on with the investigation?

Mr. NORTH. I do not regard myself as in any way competent to direct it, Mr. Chairman, because it is a kind of work with which I have had no experience whatever. It is a kind of work which is foreign to the whole theory of a census office, and it belongs to the Bureau of Labor.

I repeat, Mr. Chairman, if we are to make an investigation of this subject at all, we ought to make an investigation that will be worth something to the country, and the investigation ought to be made under the direction of one who is personally familiar with the subject and who knows the character of investigation that the subject demands. We are not making this investigation simply for the purpose of investigating; we are making it for the purpose of obtaining valuable information in order that the States throughout the country may be advised, so as to direct legislation along proper lines and protect women and children from imposition and abuse in the industries.

Mr. GAINES of Tennessee. Will the gentleman yield?

Mr. CRUMPACKER. I yield to the gentleman.

Mr. GAINES of Tennessee. I quite agree with you and endorse what you say. I would make it complete, and I am anxious about it. I believe the women and children are suffering; but where have we the power to make a complete investigation? I have asked you that question once before, and I know you conceded—

Mr. CRUMPACKER. The gentleman asked me that question when the original bill was up in the House for consideration.

Mr. GAINES of Tennessee. Yes; I remember I did.

Mr. CRUMPACKER. And I said to him that I did not believe there was any constitutional authority for the investigation; but it is in line with numerous other investigations that the Federal Government is conducting at this time. Now, after that bill was up in the House, the Committee on the Judiciary gave an opinion upon the power of Congress to legislate in relation to women and children in industries, and in that opinion the committee declared that Congress had no power to legislate, but that it did have authority to investigate the subject. I think the investigation is peculiarly important and ought to be made by the Federal Government, because all of the facts in all of the States can be collected and coordinated into something like a systematic whole and they can be of use to the whole country.

Mr. GAINES of Tennessee. I remember I asked the gentleman this question—and I have been away ill, as the gentleman knows, and do not know what the committee has done or what it has reported on in this matter—if a manufacturer (I believe I said a cotton manufacturer) should shut his door in the face of a Government officer, what authority would that Government officer have to make him open that door and to get all the facts about the women and the children who were working in that factory?

Mr. CRUMPACKER. My personal judgment is that he would have no legal authority to compel him to do it.

Mr. GAINES of Tennessee. Then how can he make a complete report?

Mr. CRUMPACKER. There is the moral power.

Mr. GAINES of Tennessee. I grant you that.

Mr. CRUMPACKER. I do not know of any single instance

in the many investigations in which the Government has been engaged where a manufacturer has refused to answer proper questions, in a proper investigation, in relation to his business.

Mr. GAINES of Tennessee. Now, Mr. Chairman, I will yield three minutes of that time to the gentleman from Indiana. The gentleman had not finished his speech when I interrupted him and took his time.

Mr. CRUMPACKER. Mr. Chairman, in relation to the right or the power to make this investigation, I simply repeat what I said to the gentleman before, that there is no constitutional authority that I know of for making the investigation, but the force of universal public opinion is so strong that no manufacturer, no proprietor of any industry, could afford to refuse a Government officer information or refuse to answer proper questions on the subject of his employees.

Mr. GAINES of Tennessee. How does the Bureau of Labor make its investigation? You know they give us books full of figures.

Mr. CRUMPACKER. Under authority that is conferred by the same kind of law. The information is voluntary, and I repeat that no proprietor of any industry has ever refused to give information. It is all voluntary. All of our statistical investigations and information is based upon the same authority. If there is no authority to make this investigation, there is no authority to make any investigation. All of this information is voluntary except the statistical information of population for the purpose of apportioning representation and a capitation tax. I do not think there will be any trouble at all in securing correct data or in making a thorough and correct investigation of the subject, and I do think that the whole investigation ought to be under the control of the Bureau of Labor.

Mr. WILLIAMS and Mr. TAWNEY rose.

The CHAIRMAN. Under the rule the Chair is inclined to recognize some one in opposition to the amendment offered by the gentleman from Indiana.

Mr. TAWNEY. I rose for that purpose, Mr. Chairman, and addressed the Chair before anyone else.

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota, the chairman of the committee.

Mr. TAWNEY. Mr. Chairman, in consideration of this question in the committee we have presented to us this situation: Congress has specifically authorized the investigation into the condition of woman and child labor in this country. Congress, in its wisdom, vested in the Secretary of Commerce and Labor the discretion of having that investigation made under one of three different agencies, or under two of the three combined. He may utilize the Bureau of Labor or the Census Bureau, and then there is something that I do not think any Member of this House knew at the time that we passed the bill—that the law contained language that the Department has construed vests in the head of the Department the power of employing outside agents for the purpose of conducting this intense investigation, as it is called.

Now, it is impracticable to attempt to have this investigation conducted by two bureaus. I do not think it ought to be the policy of Congress to invest the discretion or power to make this investigation in any outside agency. Therefore, as a matter of policy—and it is for Congress to determine the policy under which the new law is to be carried out, making the provision, we have not only the power, but it is our duty to do it—it is impracticable to place that investigation under both the Department of Labor and the Census Bureau. Therefore we selected the Census Bureau, notwithstanding the statement made by the Director of the Census that it does not properly belong to his Bureau. Congress has said that it can be placed under this Bureau. It to-day has an organization, an army of inspectors who are traveling over the country investigating manufacturing establishments. Therefore the investigation by his own men into the conditions of female and child labor employed in these factories comes properly under the jurisdiction of these men and under the Bureau of the Census. True, it is not statistical, but that does not make it impossible for the representatives of the Bureau of the Census to gather the information which the law says shall be gathered or may be gathered in the Bureau of the Census.

Another reason that actuated the committee is the fact that to-day the Census Bureau has all the data in its office respecting the employment of women in this country, except the physical conditions surrounding their employment. Only recently the Bureau of the Census issued a bulletin on child labor, which has entirely dissipated the idea that our manufacturing establishments throughout this country were filled with children who were being crushed to death by heartless manufacturers by showing and demonstrating conclusively that more than two-thirds of all the children employed in this country are employed

on the farm. In view of the fact that they have this statistical information, in view of the fact that they have a force of agents out in the field now gathering statistics concerning manufacturing industries, it was the judgment of your committee that this investigation can be done just as efficiently and done far more economically and with less intensity, perhaps, and less sensationalism, perhaps, than it would be done if it were done by agencies outside of the Government or if it were done by the other Bureau. For that reason we have made the recommendation we have, that this investigation be conducted by the Census Bureau.

Mr. GROSVENOR. Will the gentleman yield?

Mr. TAWNEY. Yes.

Mr. GROSVENOR. Is it not a fact that the Bureau of Labor, representing, as it does, labor organizations and the labor of the country, would be more inclined to be partisan in the taking of these facts and making this report than an independent bureau that is in no wise connected with labor?

Mr. TAWNEY. I think so. I think, Mr. Chairman, that it is in the interests of the women and children who are employed in the factories of this country to have an impartial, fair, and candid investigation made—one that will disclose the facts without the intensity with which the Director of the Bureau of the Census says it is the purpose to make this investigation.

Mr. WILLIAMS. Mr. Chairman, I merely want to make this suggestion, that it seems to me that this being purely a labor problem, the investigation ought to be made by the Labor Bureau.

Mr. TAWNEY. But it is not a labor proposition. It is not a problem at all affecting labor. It is a social and physical condition surrounding the employment of certain people, and all that is necessary on the part of the man charged with the responsibility of making this investigation is to exercise the intelligence which God Almighty gave him, and he will be able to make an investigation as the law contemplates it should be made.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS. Mr. Chairman, it is true that this is a social problem, a problem of suffering, and a problem to some extent of something worse than that, because it not only kills the little child that is working at an unripe and immature age, intellectually and physically, but it renders those children unfit to become the progenitors of the next generation. There is nothing under the sun that is so saddening to the heart, even of an ordinary man of the world not easily saddened, as to see these poor little listless, vacant-eyed working children sitting around inanely in what ought to be their playtime. But it is a labor problem after all—labor performed by those who ought not to be compelled to labor.

I understand, of course, that the Federal Government has no jurisdiction to correct these ills. All that is purported to be done is to present to the country—to the citizens of the several States—a picture of the evil as it really exists, and in that way to arraign the conscience—the moral consciousness—of the citizens of the several States, and thus have them remedied in the proper forum—the State legislatures—whatever evils may exist. The gentleman has given as a reason why the work should go to the Census Bureau that the Census Bureau would report nothing but the age and the number and the hours—the age of the children and the number of them and the hours of work to be performed by them—the cold statistical facts, in a word.

Mr. TAWNEY. I made no such statement as that. I know the gentleman does not wish to misquote me.

Mr. WILLIAMS. Oh, I am not trying to quote the gentleman literally.

Mr. TAWNEY. But I made no such statement.

Mr. WILLIAMS. But the gentleman made the statement that one reason why the Census Bureau ought to be charged with the investigation was because it would be cold, impartial, statistical statement, if I understood him.

Mr. TAWNEY. I did not say statistical, because the Census Bureau now has all the statistical information that can be obtained. I said it would be an impartial report as to the physical conditions surrounding the employment of these people.

Mr. WILLIAMS. Everybody wants an impartial report. In other words, everybody wants a truthful report.

Mr. TAWNEY. Yes.

Mr. WILLIAMS. And every truthful report will be impartial, but I do not conceive that it is an objection to lodging this power in the Labor Bureau that the Labor Bureau would report something more than the bare, cold, statistical facts, but might report the condition of suffering that exists, the condition of wearing away the young child's life before it has become hardly a life at all.

We want to know the things that would be well to be known, in order to bring about a reform everywhere in the country where reform needs to be brought about. Now, I did not have the happiness of sitting upon the committee and did not hear the facts as the members of the committee did, and I may be totally wrong about this, but it does seem to me that, being a labor problem, affecting the laboring men not of this generation alone, but of the next, because the children of the poor of this generation are the fathers and mothers of the labor of the next, the investigation ought to go to the Labor Bureau.

Mr. FITZGERALD. Mr. Chairman, I think if the committee is informed of the facts, there will not be much misunderstanding nor difficulty in settling this question. I have in my hand a report just issued by the Census Bureau on child labor in the United States, and gentlemen can see it is a somewhat bulky report and contains some 200 pages of printed matter. It contains the information which the Bureau was directed to compile in the act directing the taking of the Twelfth Census. That act directed that in the taking of the Twelfth Census the enumerators should report the occupation of every child 10 years of age and over who was "earning money regularly by labor, contributing to the family support, or appreciably assisting in mechanical or agricultural industry." That is all the Bureau of Census undertook to do. It has done that much, as is apparent from this report, and it is clear that, despite the protest of the Director of the Census, his Bureau is well equipped to obtain and compile the information it is directed to compile by Congress by this provision, and that it can do it in a satisfactory manner.

Mr. CRUMPACKER rose.

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. FITZGERALD. Yes.

Mr. CRUMPACKER. The investigation he has used as the basis for the recent bulletin issued by the Census Office was taken seven years ago. The gentleman has in mind, no doubt—

Mr. FITZGERALD. I am not so sure it was taken—yes; the report states it is based on unpublished information derived from the schedules of the Twelfth Census.

Mr. CRUMPACKER. That they made up in 1900.

Mr. FITZGERALD. That is true.

Mr. CRUMPACKER. And there have been labor laws enacted since then, and conditions may be materially different.

Mr. FITZGERALD. I am simply exhibiting this document to the House to show that, despite the protest of the Director of the Census, his Bureau is competent to obtain whatever character of information he is directed to obtain by law.

Mr. CRUMPACKER. That is purely statistical, however.

Mr. FITZGERALD. If the gentleman will permit me to complete the statement I am trying to make, then perhaps he will be better satisfied.

Mr. SMITH of Kentucky. I would like to ask the gentleman from New York how well equipped the Bureau of Labor is for the work that is proposed under this provision of the bill?

Mr. FITZGERALD. My opinion is that the Bureau of Labor has no organization and no competent force to obtain information of any character.

Mr. TAWNEY. If the gentleman will permit, I will say the Commissioner of Labor himself stated to me that if this was put under the Department of Labor they would have to organize their force entirely anew; and he would have to spend at least six months in going out all over the country to map out the plans of this investigation, so that the work would have to begin at the very foundation of the Bureau of Labor. They have no inspectors for this purpose. They have only two inspectors in the Bureau of Labor, and the work would have to commence from the very beginning, whereas if it was carried on in the Bureau of the Census, they have an organization there now, an organization that keeps the head of the Bureau and the other officials busy trying to get appropriations to keep them in work until time to take the next census.

Mr. FITZGERALD. The act under which it is proposed to make the investigation for which the appropriation is contained in this bill provides for the gathering of other and additional information.

It directs that a report upon the industrial, social, moral, educational, and physical conditions of woman and child workers in the United States be made. That imposes additional labor upon whoever undertakes the work to that imposed upon the Census Bureau in the Twelfth Census. It will have to be obtained by sending enumerators or special agents or inspectors to the places where the women and children are employed, and the information gathered in that way will be compiled and published. The Census Bureau has the force; the Labor Bureau

has not the force. Now, I wish to say just a word regarding this evil.

Mr. SMITH of Kentucky. Now, Mr. Chairman, I would like to ask the gentleman from New York an additional question.

The CHAIRMAN. Does the gentleman from New York yield?

Mr. FITZGERALD. I do.

Mr. SMITH of Kentucky. Did the committee have an estimate as to how much money would be required to equip the Bureau of Labor for this work?

Mr. FITZGERALD. No information, as far as I am informed.

The report upon which this document has been compiled shows that there were 1,750,178 children between the ages of 10 and 15 engaged in some kind of employment; 1,061,971 of those children were engaged in agricultural occupations, and it is not intended to investigate the condition of children so employed; 688,270 were in all other occupations. Of those, 310,826, or nearly one-half, were 15 years of age; 501,849, or over two-thirds, were 14 or 15 years of age, and 186,358 were between the ages of 10 and 13.

Of course, it must be borne in mind, and I desire to state, that there are no statistics compiled here, because the law did not contemplate it, of the number of children under 10 years of age so employed. But it seemed to the committee, with the information before it, that the Census Bureau, well equipped, with no desire to conceal anything, organized for the purpose of collecting all kinds of information of a similar character, could more economically and more efficiently do this work. There is no difference of opinion as to the desirability of preventing child and woman labor under well-known and abhorrent conditions. That question is not before us now. There is only to be determined whether one bureau or another shall collect certain information.

I wish to call attention to the very extraordinary letter which has been read here to-night. It is addressed by the President to the Secretary of Commerce and Labor, but it really is intended for this House. It was issued or given to the public from the White House to-day. In it the President, departing from his hitherto known methods, has attempted to wave in a more direct and open manner the "big stick" and coerce this House into doing his will rather than to have it exercise its own will. He states in that letter that he would not permit the Bureau of Labor to act in a demagogic spirit in conducting this investigation, or tolerate its failing to see that the rights of capital would be equally guarded with those of the wage-worker.

Mr. Chairman, the rights of capitalists are not involved in this investigation. It is designed in order to obtain information regarding the condition of women and children engaged in labor under conditions universally condemned, and the best proof to my mind that the Bureau of Labor would not make an investigation and report that would be impartial and fair is the fact that the President feels it necessary to warn the House that he would not permit it to do anything that would be improper in this investigation. He says that it would not be wise in his opinion to give the impression that we are penalizing the Bureau of Labor.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I ask unanimous consent to proceed for five minutes.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman be given five minutes in which to finish his speech.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from New York may proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. The President speaks of "we," giving the impression that "we" are penalizing the Bureau of Labor. Whom does he mean by "we"? I submit most respectfully that the legislative branch of the Government is the proper branch to determine at this time and upon this bill which particular bureau shall perform this particular work.

The President has his rights. He can communicate his views and opinions upon this matter in a proper or in a more orderly way to this House. If he be not satisfied with the bureau upon which Congress imposes this duty, he can refuse to permit the bureau that Congress will impose the work upon to perform it by vetoing the bill. So far as I am concerned, without any particular resentment against this attempt to shake the "big stick" in my face, I propose to act according to what I believe, with the information before the committee, the best interests of the Government and of the investigation itself. The committee has endeavored to impartially ascertain which particular bureau was best

equipped to do this work—which bureau can do it most effectively, which bureau can do it most economically—which is a matter of some consequence, although it may not appeal to some people in other departments of the Government. The committee has decided this question in favor of the Census Office. I have the confidence that I know other members of this committee have in the integrity and efficiency of the Census Office, and I believe that this committee will give to that Office the work.

How easy it is to understand the protest of the Director of the Census against doing this work when he knew that the Chief Executive was determined to have some other bureau do it if he could have his way. I am not responsible for what the majority of this House will do. I do not know how susceptible it is to the influence of this stick when it is waved so emphatically over their heads; but I trust, for the sake of ourselves and for the dignity of the House, and in order to justify our right to legislate, that we will sustain the committee; that we will determine this question according to our own judgment and at the proper time let the President perform his duty in the manner he deems proper.

I had occasion last year to say that we were coming to that condition when Congress consisted no longer of the two Houses—the Senate and the House of Representatives—but consisted of three Houses—the Senate, the House of Representatives, and the White House. I am inclined to review that opinion. If I were asked to give an opinion now as to what constituted Congress, in the light of this letter I would say that it would appear to consist of one House, and that House was the White House. I hope that this committee will emphatically stop legislation by coercion from the Executive, that it will exercise its own rights and judgment. For once at least let us act truly and without fear. If this investigation is to be conducted, let it be conducted where the work will unquestionably be fairly and impartially done, and whatever the report be it will be a report that will be received with confidence by the country, without the slightest ground for the belief that it has been colored to meet the particular desires or wishes of some person or group of persons.

Mr. TAWNEY. Mr. Chairman, I move that debate on this paragraph be closed in ten minutes, five minutes to be given to the gentleman from Missouri [Mr. BARTHOLOLT] and five minutes to the gentleman from Massachusetts, a member of the committee.

Mr. CLARK of Missouri. I believe I would like to have five minutes in this "shindy" myself.

The CHAIRMAN. The Chair will put the motion. The gentleman from Minnesota moves that all debate be closed in ten minutes, five minutes to be given to the gentleman from Missouri [Mr. BARTHOLOLT]—

Mr. JAMES. I move to amend that by making it fifteen minutes.

The CHAIRMAN. The Chair has not yet stated the question. Five minutes to be given to the gentleman from Missouri [Mr. BARTHOLOLT] and the other five minutes to the gentleman from Massachusetts, a member of the committee.

Mr. JAMES. I move to amend by making it fifteen minutes, and let the gentleman from Kentucky [Mr. STANLEY] have five minutes.

Mr. TAWNEY. I accept the amendment.

The CHAIRMAN. The motion is to close debate in fifteen minutes, five minutes to be given to the gentleman from Missouri [Mr. BARTHOLOLT], five minutes to the gentleman from Massachusetts [Mr. SULLIVAN], a member of the committee, and five minutes to the gentleman from Kentucky [Mr. STANLEY].

Mr. MANN. A parliamentary inquiry. I have no objection to the motion nor to asking unanimous consent, but I raise the point of order that in making a limit for debate you can not couple with it a distribution of the time.

The CHAIRMAN. The Chair is inclined to the opinion that the point is well taken, and that it should be done by unanimous consent.

Mr. MANN. I ask unanimous consent that that proposition may be adopted.

The CHAIRMAN. The Chair hears no objection.

Mr. BARTHOLOLT. Mr. Chairman, I merely desire to call attention to the fact that the legislation for which this appropriation is made was passed here a few weeks ago. It was considered in the Committee of Labor, and if I remember right the bill provided that the Secretary of the Department of Commerce and Labor should make this investigation.

I should like to know from my friend, the chairman of the committee, whether the Secretary of Commerce and Labor under this legislation has exercised his judgment in recommending the selection of either the Census Bureau or the Bureau of Labor to make this investigation?

Mr. TAWNEY. I will say to the gentleman from Missouri that the Secretary of Commerce and Labor, or the Department of Commerce and Labor, has not indicated to the committee which of the two bureaus they would prefer to have this work done under, except in so far as the Director of the Census said he did not want it and the Commissioner of Labor said that he did want it. The head of the Department has not made any selection so far as the committee knows.

Mr. BARTHOLDT. I will state for the committee which considered this matter that we never contemplated this work to be done by the Census, because we believed that a Census official merely collects statistics, figures, facts; but he does not go into an investigation of the sociological and economic conditions of women and child workers.

Mr. TAWNEY. Will the gentleman from Missouri permit an interruption?

Mr. BARTHOLDT. Yes.

Mr. TAWNEY. Why, then, did you advocate the bill with this provision in it, giving express authority to the Department to have the work done by the Census Bureau?

Mr. BARTHOLDT. The bill does not say so.

Mr. TAWNEY. I beg the gentleman's pardon. The bill does say so in express terms.

Mr. BARTHOLDT. The bill leaves it discretionary with the Secretary of Commerce and Labor either to select the Bureau of Labor or the Census.

Mr. CRUMPACKER. If it had been contemplated that this work was to be done by the Census Office, the law never would have been enacted, because the Census Office has recently issued a bulletin on this identical subject, covering as large a scope as the Census Bureau is competent to do. It would be merely a repetition.

Mr. LITTLEFIELD. I understood the gentleman to take the ground that this work was out of date.

Mr. CRUMPACKER. Partly out of date.

Mr. BARTHOLDT. Investigations of this kind are being conducted by the Bureau of Labor all the year round, and into all kinds of branches of knowledge, and it comes clearly and particularly within the scope of the activities of that Bureau, and in my judgment and in the judgment of the members of the Committee on Labor, the work should be done by that Bureau and not by the census officials.

Mr. SULLIVAN. Mr. Chairman, the Director of the Census gave to the committee as his reason for not wishing to undertake this work that he has been engaged heretofore in the collection and compilation of statistics; that that work has received the careful scrutiny of political economists and statesmen, and has received their approval. He does not wish to have the value of his work impaired by a work such as this provision contemplates, because of his fear that he will be compelled to leave the region of fact and go to some extent at least into the region of deduction, if not into the realms of fancy. But that very reason itself presents to the Congress the strongest motive for intrusting the duty of collecting the statistics upon this question to the Director of the Census, even against his personal wishes. The country does not wish to be thrilled each day or each week with a new sensation. The country would relish a calm, lucid, sober presentation of facts, if only for a change. The Bureau of the Census would give us that orderly and methodical statement which would furnish a solid foundation for legislative action much better indeed than the work of dreamers and poets, who would prefer to write fiction than to record facts.

Now, the Congress does not need to learn that there are children at work in the factories and mines of the country. We know that. It will always continue so long as human greed continues, unless the strong arm of the law intervenes. Child labor is no new thing, nor is it confined to the Southern or Western States. The State which I have the honor in part to represent had to grapple in its day with the problem of child labor, just as the men of England had to grapple in their day with the problem of child labor and the proper regulation of factories, their sanitation, and other conditions. Human greed causes some employers to make little children work. I regret to say that some of the men who fought most bitterly in the Massachusetts legislature against the reduction of the hours of labor in that State have sent their capital into the Southern States, and paid their lobbies to prevent the enactment of laws to reduce the hours of labor of women and children there.

Avarice is one of the motives which calls for this investigation. The Southern States and the Western States will have to solve this problem themselves. All that we can legally do is to present to the Congress information. Unless we are prepared to take away the reserved powers of the States we must

leave the States themselves, through local legislatures, to deal with the hours of labor of women and children.

I know a gentleman in the other body has said that the report of the House Judiciary Committee is absurd and ridiculous, because it does not happen to agree with his own opinion. I wish that we could have laws regulating child labor. I wish one was in operation in the other branch of Congress. [Laughter.] I think it might operate to reduce the hours of labor and the length of speeches. [Renewed laughter.]

Now, we have heard it stated recently that if the States fail to exercise the power reserved to them under the Constitution, that a way will be found of having the National Government discharge the functions of the State. That proposition was submitted to us from a very high officer—a Cabinet minister in this Administration.

What is sought to be done now? A moral atmosphere is sought to be created by the presentation of a highly colored and dramatic report which may contain much truth and perhaps much that is not true, and that sensational report will be submitted to this Congress, and it will be confidently expected that Congress will be swept off its feet; that it will disregard its constitutional limitations and will pass a law regulating labor in the States.

There is no question but that a report made by the Bureau of Labor would go a long way in that direction. Some gentlemen may say that Congress will not violate its oath. But let me point out to the Congress that only recently we passed, with hardly a dissenting vote, a law fixing the liability of interstate carriers to their employees, and that since that law was passed a Federal judge has decided it to be unconstitutional.

[The time of Mr. SULLIVAN having expired, by unanimous consent, the time was extended five minutes.]

Now, I submit that there were many Members of this House when that law regulating the liability of interstate-commerce carriers to their employees was passed who must have felt when they voted for it that it would be declared unconstitutional; and I believe that history will repeat itself and that later a child-labor law may be submitted here, and that men in this body rather than stand up against the clamor created by men and women in this land will again vote for a measure which in their hearts they believe to be unconstitutional.

It is for the purpose of avoiding that situation that this work is sought to be intrusted to a bureau that will simply present the facts of the case. This is a question whether the facts shall be reported by a man of common sense without much imagination or by another agent of another bureau with a very fertile imagination. What the country needs is the facts and not the imagination of the gentlemen who are sent out to collect these facts.

Now, I submit that the work can be better done by the Bureau of the Census; they are equipped for just this kind of work. I submit that you can not collect statistics in a strict sense of moral and social conditions, but you can collect statistics from which deductions may be made which have a bearing upon moral and social conditions, and that is all we ask for.

The Census Bureau is equipped for that kind of work. Its report will be of great value to the country and will help the States to legislate upon this subject. Congress ought to decide this question, and I trust this House will decide it in the interest of good legislation here to-day. [Applause.]

Mr. STANLEY. Mr. Chairman, this bill emanated from the Committee on Labor. The great difficulty with those who were upon that committee and who were attempting as best they could to obtain that information which justified them in bringing that bill into this House was not so much a lack of figures, was not that we did not know how many women were employed in making their own living, how many children were to be found in field or factory, but in ascertaining the conditions under which they labored, the conditions that brought them there, and the result of their being there upon the future happiness and prosperity of the whole country. The gentleman from Massachusetts [Mr. SULLIVAN] has said that he wants nothing brought into this House in the way of a report, tabulated or otherwise, that shall disturb its fixed tranquillity. I pray the time may never come when there shall be a majority of this House who can see a woman in poverty and in rags driven to drudgery, and childhood robbed of everything save its helplessness, and turn from the scene tranquil as a column of figures or the page of a ledger.

Mr. SULLIVAN. Why, Mr. Chairman, I trust the gentleman does not imagine that I would ever with tranquillity view such a shocking condition as he depicts, and I also assert there was nothing in my statement which would give him the right to make any such assumption.

Mr. STANLEY. He would, as I understand the gentleman from Massachusetts, view one or two in that condition with emotion; but if the agent of this Government was called upon to describe the condition of an army of the miserable ones, he would want to rob him of sentiment and chain his fancy. We want no prose poems here; we want, of course, no fanciful pictures; but I do not see by what foresight, I do not see by what gift of prophecy we can tell how fanciful the report will be before it is received. This much we do know, that the Department of Commerce and Labor is prepared not only to give us the figures, but to investigate the conditions; to tell us not only how many women are engaged in manual labor in factories, in mills, or in mines, but what conditions made it necessary; what is the effect upon the women; what the effect upon society, for all that affects her who is to be wife or mother, morally, mentally, or physically, touches the base of the race and the future of the nation. [Applause.]

It will do us but very little good, Mr. Chairman, it will be of no benefit either to this House or to this country to be wisely and tranquilly and coolly and deliberately informed by the Bureau of the Census that there are so many children of such and such an age engaged in such and such work. Why, we know, and we knew one hundred years ago, that so many women were employed in the mines of Pittsfield, but it remained for indignant humanity to learn that those women labored with an iron chain between their limbs and a leather thong about their necks, that their bodies were torn and mangled, and that the hideous laceration resulting from drawing a coal cart through a subterranean passage ended in their degradation, deformity, and ruin.

We want to know more than the bare facts. I for one want a picture, if I can get it, sir, of the bowed form and the features pinched and drawn; I want the United States, I want this Congress, I want this world to know not only how many children are there, but whether they are thin or well clad, whether they are healthy or weaklings, whether they are developing into the promise of manhood and womanhood, or whether early broken by poverty, hunger, want, toil, and despair they are sinking into untimely graves. All this I want to know. There is one thing more important, far more important than the prosperity of mills and mines, and that is the welfare of those who operate them; there is one thing more important than that there shall be a wholesome balance upon the right side of the ledger of these great institutions that have made us prosperous and powerful, and that is that the unknown and unseen thousands whose sweat and toil have gone to add to their prestige and their power shall receive a share of that prosperity, that their children shall be protected, and that their women, as far as possible, shall be saved from unwomanly toil. [Applause.]

When we have sought a nearer view of this nether world of want and toil, the Census has answered with numbers, numbers, nothing but numbers. This legislation is in the interest of ten thousand times ten thousand who have lived and died and are only known by numbers. They are numbered in the factory; they are numbered in the census; they are numbered in the potter's field. I will rejoice to find any department of this Government which could give a living picture of these people. For one, I am willing to look at their rags; I am willing to hear their wail of anguish or of despair, and there is nothing, however sensational it may be, if it is a true story of human want, of wrong to the helpless, wrong especially to women and to children, that I am not willing to know, though it should move the whole continent to indignation or to tears. [Applause.]

Mr. TAWNEY. Mr. Chairman, I make the point of order that debate is closed on this amendment and paragraph.

The CHAIRMAN. The Chair would state to the gentleman that debate has been proceeding by unanimous consent. Of course the Chair has no power to regulate that, because by unanimous consent anything may be done.

Mr. TAWNEY. But the committee has voted to close debate, and I shall object to any further extension of it. I ask unanimous consent that the amendment be reported, so that the House may know exactly what it is voting for.

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again reported.

Mr. DE ARMOND. Mr. Chairman, I would like to submit a request that five minutes time may be accorded to me.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes. Is there objection?

Mr. TAWNEY. Mr. Chairman, we have now discussed this question almost an hour. The question of the employment of women and children is not involved; it is only a practical ques-

tion as to where this investigation shall be made, and the committee has already decided to close debate, and the affirmative of this proposition has consumed more time than the negative side has.

The CHAIRMAN. The Chair has no power whatever over debate; the committee has absolute power.

Mr. TAWNEY. I move, then, Mr. Chairman, that debate on the pending amendment and paragraph be closed at ten minutes to 10 o'clock, and the time, five minutes, be now allowed to the gentleman from Missouri [Mr. DE ARMOND].

The CHAIRMAN. The gentleman from Minnesota moves that all debate be closed in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. TAWNEY. I serve notice, Mr. Chairman, that I shall object to any further extension.

Mr. DE ARMOND. Mr. Chairman, the general subject-matter is certainly a very important one. As for a choice of these bureaus, without assuming to know very much about it, it seems to me that for the purposes of this investigation the Bureau of Labor is the preferable one. I do not understand where is the foundation for the fear or supposition that dangerous, sensational reports will emanate from that Bureau. Upon the other hand, I do not see just where is the desirability of having anything so cold and so unemotional and so unattractive and so uninteresting and so uninforming that it would be worth nothing to the country or to the Congress, unless we are trying to guard ourselves against some dangers which do not exist and protect ourselves from some evils which are not by any means impending.

I wish to call attention to another matter, Mr. Chairman. As an argument against conferring this power upon the Bureau of Labor the suggestion is made that an act was passed a short time since with reference to the liability of employers of labor, and that a judge somewhere, upon some pretext or for some reason or no reason, has declared it unconstitutional. Then the assumption seems to follow, without ground for it, I think, that the dictum of this judge is law and that it is unconstitutional, and that the Congress lost its head, and is liable to do it again unless we take great care as to where the duty of this investigation shall go. Now, I would hardly like to have it understood, as a matter of course, and would hardly like to have the sanction of the House of Representatives given to-night to the proposition that, because of the decision of that judge overturning a law pretty carefully considered and certainly designed to accomplish a useful purpose, it is an unconstitutional law and of no value at all, and that Congress lost its head when it passed it.

Another thing. I understand perfectly well, or I think I do, that Congress has no power to legislate upon the subject of child labor in the States. I believe, however, that there is power in Congress to legislate with regard to the transmission in the mails or in interstate commerce of various products. I have believed, and believe yet, that Congress could legislate constitutionally with regard to the transmission in interstate and foreign commerce of trust-made goods. If that is true, I do not know whether Congress could not also legislate upon the subject of goods manufactured by child labor, by the labor of children who ought to be in school, by the labor of children who ought to be treated as human beings and not merely as animated machines for the making of money, when those goods are offered for shipment by mail or as articles of interstate commerce. I believe, too, it is possible for Congress to legislate within constitutional limits upon prison-made goods.

My object in making these remarks, Mr. Chairman, is not to influence legislation here now and upon this subject particularly, but that it may not go without challenge that here a law upon a most important subject is to be held unconstitutional, because some judge has said that it is unconstitutional. Neither do I wish it to go without challenge that because we can not legislate directly upon child labor in the States, we can not legislate at all with reference to the products of that kind of labor. And as to the choice of bureaus, as I said before, I think we need not guard ourselves so carefully against the supposed sensational results that may follow the committing of this work to the Bureau of Labor. The Bureau of Labor was organized, among other things, for the purpose of correcting labor conditions, of lessening labor abuses, and of bringing about a better condition of things in the general field of labor; and it does seem to me that logically and naturally and properly this investigation would fall to the lot of that Bureau. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. CRUMPACKER].

The question was taken; and the Chair announced that the yeas seem to have it.

Mr. CRUMPACKER. Division, Mr. Chairman.

The committee divided; and there were—ayes 38, noes 96.

So the amendment was rejected.

The Clerk read as follows:

Elevator, old Post-Office Department building: For the construction of an elevator in the F street wing of the old Post-Office Department building, occupied by the Department of the Interior, \$6,000.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order against the paragraph just read on page 92, line 1, down to and including line 4.

Mr. TAWNEY. This is not subject to the point of order.

The CHAIRMAN. What is the point of order made by the gentleman from Florida?

Mr. CLARK of Florida. That it is new legislation.

Mr. TAWNEY. This is providing for the improvement and necessary repairs to a building now in use by the Government. It is for an elevator in the old Post-Office building or the building that used to be occupied by the Post-Office Department, and is now occupied by the Land Office.

The CHAIRMAN. Is it a Government building?

Mr. TAWNEY. It is a matter of common utility in the use of that building—a necessary utility.

The CHAIRMAN. Is it a Government building?

Mr. TAWNEY. It is a Government building—the old Post-Office building.

Mr. CLARK of Florida. I submit, Mr. Chairman, it is not an appropriation for the repair of a Government building. It is an appropriation for the installation of something in a Government building that never has been there before. It is not to repair an elevator, but it is to construct an elevator and place it in a certain building.

The CHAIRMAN. Does the gentleman desire to be heard further?

Mr. TAWNEY. I do not, Mr. Chairman. The building is a Government building and owned by the Government. This is a necessary utility for the use of the building.

The CHAIRMAN. The gentleman from Florida makes the point of order—

Mr. TAWNEY. It would be just as necessary—

The CHAIRMAN. The Chair desires to ask the gentleman from Minnesota if he understands the point made by the gentleman from Florida, which is that it is not for the repair, but for the construction of something entirely new in the building?

Mr. TAWNEY. Well, assuming that it is an addition, it has been ruled this evening that an amendment which I offered for the purchase of additional lands and for the provision of an addition to the Bureau of Printing and Engraving was in order, and it is in the same category exactly.

Mr. GROSVENOR. Suppose that in one of these Government buildings you undertook to add one door or put in another door; that would be a new door. Are we estopped from making a door?

The CHAIRMAN. The Chair is well satisfied. The Chair overrules the point of order.

The Clerk read as follows:

The Capitol building shall hereafter be open to visitors from 9 o'clock a. m. until 4 o'clock p. m. on Sundays and holidays.

Mr. CLARK of Florida. I make the point of order on page 92, line 12, down to and including line 14.

The CHAIRMAN. The gentleman from Florida makes the point of order to the paragraph just read, from line 12 to line 14, inclusive, on page 92. What is the point of order?

Mr. CLARK of Florida. It changes existing law.

The CHAIRMAN. It changes existing law, the gentleman says.

Mr. TAWNEY. Will the gentleman state what law it changes? There is no law fixing the time, the days, or the hours the Capitol shall be open.

Mr. CLARK of Florida. Then it is the enactment of new legislation.

Mr. GROSVENOR. Why, it is a regulation or care of a public building.

Mr. TAWNEY. Yes, sir; it relates entirely to the care or regulation of the Capitol building in which Congress performs its functions.

Mr. CLARK of Florida. If in fact there be no law now to regulate the hours that this building shall be open, and you pass a regulation of this kind, is that not an enactment of a law on the proposition? Therefore is it not new legislation?

Mr. GROSVENOR. It is carrying out the general power of the Government to regulate the control and the management of its public buildings—the general law of ownership, which carries with it the inevitable inference of the power to regulate. That is all.

The CHAIRMAN. But, after all, if the Government has not

seen fit to make a regulation and makes it by legislation, is it not new?

Mr. GROSVENOR. Perhaps they have not heretofore had a regulation, or, perhaps, some other and different regulation. The law of control is the law that gives the Government this right to control and manage its own public building. It is incidental to its ownership.

Mr. TAWNEY. Mr. Chairman, I want to call attention to the fact of the order that is issued to the employees of this Capitol. They come here and can not get in on a Sunday with a member of their family. An order is issued, perhaps, closing the Capitol entirely, not only to the public, but to those who have the right to be here on Sunday or any other day. Now, it certainly is in the power of Congress, that has absolute control over this building, to remodel or modify or change or entirely repeal a regulation of that kind.

The CHAIRMAN. Can it be done on an appropriation bill? In other words, the Chair will ask the gentleman from Minnesota after this shall have been passed, if it is really passed, will it not then have all the binding force and effect of law?

Mr. TAWNEY. It will.

The CHAIRMAN. And in that respect, is it not legislation on a proposition where no law exists?

Mr. OLMSTED. Mr. Chairman, it is an exercise of power that comes through an act of Congress, which is legislation.

The CHAIRMAN. The Chair thinks there can be no doubt about it. Does the gentleman from Illinois desire to be heard?

Mr. MANN. I desire to be heard on the side I think the Chair has indicated.

The CHAIRMAN. The Chair thinks it is clearly obnoxious to the rule, and sustains the point of order.

The Clerk read as follows:

To complete the construction of the fireproof building for committee rooms and offices for the House of Representatives, provided for in the sundry civil appropriation act approved March 3, 1903, including not exceeding \$500 for the purchase of necessary technical and other books, \$1,050,000, to continue available until expended.

Mr. CLARK of Missouri. I move to strike out the last word.

I would like to ask the chairman of the Committee on Appropriations for information on lines 18 and 19, "including not exceeding \$500 for the purchase of necessary technical and other books," for the fellows who are building that house over there.

Mr. TAWNEY. For the Superintendent of the Capitol and his office force.

Mr. CLARK of Missouri. Why doesn't he buy his own books?

Mr. TAWNEY. These are books that are used in connection with his service—drafting books, technical works relating to engineering and to architecture—purely technical books.

Mr. CLARK of Missouri. I would not have any objection to furnishing him with books if he needs them, but that is a curious clause to put in there.

Mr. TAWNEY. I will say to the gentleman from Missouri that nearly every appropriation that is carried in an appropriation bill for any Department has language similar to this for the purchase of books. Heretofore the language has been much broader than it is to-day, as carried in the appropriation bills at this session, for the reason that the Committee on Appropriations has discovered that under the language heretofore employed the Departments have maintained a large fiction library; and we have therefore cut down or reduced that authority for the purchase of books to those that are needed only in the technical work of the Department.

Mr. CLARK of Missouri. If that is true, why does not your committee take it in hand and shut off the fiction books?

Mr. TAWNEY. I will say to the gentleman that the Committee on Appropriations reported a provision in the legislative bill at this session for that very purpose, but it did not meet with the unanimous approval of the House, and it went out on a point of order. I hope, however, before this session ends, that we may be able to satisfy the gentleman who made the point of order that we have sufficiently investigated this question to determine that it is not necessary for the good of the service nor of the employees in any of these Departments for the Government to maintain a fiction or belles-lettres library in the Departments.

Mr. CLARK of Missouri. I should think you would not have any trouble in convincing anybody that had any sense of the correctness of that proposition.

Mr. MANN. It was I who made the point of order to which the gentleman refers [laughter], and I wish to call the gentleman's attention to the fact that under the item that he has now under consideration the Superintendent of the Capitol could expend \$500 in the purchase of novels. The gentleman made a proposition in the legislative appropriation bill, which went out

on a point of order made by me, restricting the books bought in each Department to technical books, and if I may have the attention of the gentleman, the item now under consideration is—

For the purchase of necessary technical and other books.

"Other books" includes all books, to the extent of \$500, and under this appropriation it is not necessary to spend a cent for technical books. For aught the appropriation provides, the Superintendent of the Capitol may purchase and read, the day after this bill becomes a law, a book on The Quick and the Dead.

Mr. TAWNEY. I intend to offer an amendment striking out the words "and other."

Mr. MANN. I am very glad I have called the gentleman's attention to a flaw in his bill.

Mr. OLMSTED. It is not a very serious one.

Mr. TAWNEY. I move as an amendment, in line 20, page 92, to strike out the word "and other."

Mr. SHACKLEFORD. I should like to ask the gentleman what becomes of these books after they are bought? Whose property are they?

Mr. TAWNEY. They belong to the Government.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Minnesota.

The Clerk read as follows:

On page 92, line 20, strike out "and other."

Mr. WADSWORTH. I should like to ask the gentleman what objection there is to the general library buying these books and then the Superintendent of the Capitol drawing them?

Mr. TAWNEY. Do you mean the Library of Congress?

Mr. WADSWORTH. The Library of Congress.

Mr. TAWNEY. Well, they are books that are in constant use. Of course, under the regulations of the Library of Congress, they would have to be taken from the Library all the time, and I suppose that for reference some of the books are bought by the Library, and can be obtained there; but these books referred to here are a part of the tools used by the Superintendent of the Capitol and those charged with the responsibility of the construction of these buildings. They are using them daily in the work, and are just as essential as drawing instruments are.

Mr. GAINES of Tennessee. Does the Superintendent of the Capitol have to buy \$500 worth of books?

Mr. WADSWORTH. We found in the Department of Agriculture the same trouble. Every bureau was inclined to build up its own library. We put a stop to it, and made all the books purchasable on estimates by the general librarian in the Department of Agriculture, and each bureau chief draws out such books as he desires. In other words, you will have here another library started in a few months.

Mr. GAINES of Tennessee. Will the gentleman tell us how much it allows for the purchase each year?

Mr. WADSWORTH. In the Agricultural library? About \$12,500 a year; but that library would not be accessible to the Superintendent of the Capitol, I suppose.

Mr. GAINES of Tennessee. Well, that amount shocks me. I was just going to ask the gentleman from Iowa why they wanted as much as \$500 worth of books called for in this item. [Laughter.]

Mr. LACEY. Would not the books when purchased belong to the Congressional Library? All the books that we have in the committee room are cared for by the Congressional Library.

Mr. TAWNEY. I do not know that they would belong to the Congressional Library. They are bought under a specific appropriation, for a specific purpose, and for a specific officer.

Mr. LACEY. The books, as the gentleman knows, in the committee rooms are marked as the property of the United States and belong to the Library.

Mr. TAWNEY. That may be; I do not know what the law is.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

For furnishing the office building, House of Representatives, including furniture for office rooms, furniture for caucus and retiring rooms, and for kitchen and restaurant equipment, \$300,500, to be immediately available and to remain available until expended; said appropriation to be expended by the Superintendent of the United States Capitol Building and Grounds, under the direction of the Commission of the House of Representatives designated by law to supervise the construction of said office building.

Mr. CLARK of Florida. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee who is the consulting architect for the House office building, if he knows?

Mr. TAWNEY. Mr. Hastings.

Mr. CLARK of Florida. Does the chairman know who is the consulting architect for the Senate office building?

Mr. TAWNEY. I am not able to answer that question.

Mr. CLARK of Florida. Is it not the other member of the same firm of which Mr. Hastings is a member?

Mr. TAWNEY. I do not know.

Mr. CLARK of Florida. Is it not true that that gentleman receives a salary of \$10,000 a year?

Mr. TAWNEY. The House has nothing to do with the construction of the Senate office building.

Mr. CLARK of Florida. I understand that, but is it not true that that firm is the firm of consulting architects for the extension of the Capitol? Mr. Chairman, I withdraw the pro forma amendment and offer this amendment.

The Clerk read as follows:

Amend by adding at the end of line 6 on page 93 the following: "Provided, That no portion of the sums appropriated by these paragraphs shall be expended in the payment of services of architects rendered after September 1, 1907."

Mr. TAWNEY. Mr. Chairman, I reserve a point of order on that on the ground that it changes existing law. Although it is a limitation on an appropriation, it does change the law which authorizes the contract which has been made for the services of this man in connection with the construction of this building. The term of that service is to conclude in three years from the date of his first employment and has very nearly expired.

The CHAIRMAN. A contract heretofore made?

Mr. TAWNEY. Heretofore made under authority of law.

Mr. SHACKLEFORD. Mr. Chairman, I think it has been a frequent ruling of the Chair that an appropriation that is offered to be made for a lawful purpose may be limited. For instance, where the salary of an officer under the law is entitled to draw four or five thousand dollars a year, a limitation may be made in the amount appropriated. I think this is what is attempted to be done here. I would like to ask the gentleman, in this connection, how much that architect for the House building gets; what is his annual salary?

Mr. TAWNEY. Ten thousand dollars a year instead of 5 per cent, which is the usual fee of a consulting architect.

Mr. SHACKLEFORD. It seems to me that this House building has been about two years longer in construction than we were told it would take when the first appropriation was made. I am one of those who believe that as long as these men have \$10,000 a year as consulting architects for the House building and \$10,000 for the Senate building, making \$20,000 a year, besides the Capitol extension, that having control of that work they are not liable to hasten the completion of the buildings.

Mr. TAWNEY. Will the gentleman permit an interruption? Is the gentleman aware of the fact that this man is only a consulting architect, that he has no control whatever over the construction of the building or its superintendents? He can not delay it a minute if he wanted to.

Mr. SHACKLEFORD. How often does he visit the building?

Mr. TAWNEY. I do not know.

Mr. SHACKLEFORD. About how often?

Mr. TAWNEY. He is consulted. He is merely employed as a consulting architect, and passes upon the plans and details and the specifications. The construction of the building is under the control and superintendency of the Superintendent of the Capitol.

Mr. SHACKLEFORD. Mr. Chairman, I think it is altogether probable that the delay in the completion of this building has resulted because the consulting architect has some plans over in New York that he has not worked out yet, and I for one think that the amendment is in order—not only in order, but I think it ought to be adopted for the purpose of hurrying along this building. It is two years behind now. Baltimore has been burned down and built up since this post-office building was commenced, and yet it looks to me like it is not more than half completed. I am afraid that the architects who are drawing \$10,000 a year salary are lingering and loitering over the plans in their office and in New York, and thereby retarding the completion of that building.

Mr. TAWNEY. Mr. Chairman, I would not detain the committee one moment if it were not for the statements made by the gentleman from Missouri [Mr. SHACKLEFORD], which are not borne out by the facts. The building has not been delayed. I will assert on this floor that that building will be completed from the time they commenced breaking ground for the foundation in less time than any other building that has ever been erected of its kind and character and cost in the District of Columbia.

Mr. SHACKLEFORD. Have any of them ever been completed within the time they ought to have been completed?

Mr. TAWNEY. Yes.

Mr. SHACKLEFORD. Which?

Mr. TAWNEY. The Congressional Library building was, and it was completed within the limit of cost.

Mr. GAINES of Tennessee. Will the gentleman tell the committee when we are going to get this building to use?

Mr. TAWNEY. This building was commenced two years ago.

Mr. SHACKLEFORD. There was no consulting engineer of the Congressional Library. That was done under the War Department.

Mr. TAWNEY. The delay, if there was any delay, was due to the litigation necessary in order to obtain the title to this ground, the site. There is where the delay was. By the 1st of December, when the Sixtieth Congress convenes, that building will be ready for occupancy, and it is for that reason that this appropriation is carried. [Applause.]

Mr. SIMS. Will the gentleman yield?

Mr. TAWNEY. Yes.

Mr. SIMS. The gentleman stated that this is being constructed in less time than any other building of the sort ever had been. I want to cite to the gentleman from Minnesota the gentleman from Illinois [Mr. MADDEN], who occupies a seat on that side of the Chamber, and who is a contractor, who erected a building costing \$5,000,000 in Chicago in one year, and had to excavate a concrete foundation 100 feet to begin, and yet completed it perfectly in one year. That was a larger building than this.

Mr. TAWNEY. I stated what is the fact, and my comparison was made with other buildings erected in the District of Columbia.

Mr. SIMS. Oh, the District of Columbia buildings, and not in Chicago, where they do things.

Mr. JAMES. The gentleman's statement did not apply to a Member of Congress, did it?

Mr. SMITH of Iowa. Mr. Chairman, there are two paragraphs in this bill with reference to the House office building, one an appropriation for the building and the other an appropriation for the furniture. The amendment offered by the gentleman is to the paragraph with reference to the furniture. It provides that we shall not pay the architect out of the appropriation for the furniture. That is not germane to that paragraph, and if it is adopted it will not mean anything at all. The gentleman allowed the paragraph to pass with reference to the building, and has failed to offer any amendment to that section. The amendment is offered to this section and is absolutely senseless and will have no effect if enacted.

Mr. CLARK of Florida. Mr. Chairman, the gentleman from Iowa [Mr. SMITH] has discovered something most remarkable. He can not split up a paragraph in that sort of style. There is only one paragraph here. Now, I want to show, Mr. Chairman, just how much this gentleman, who is a member of the committee, knows about it.

For furnishing the office building, House of Representatives, including furniture for office rooms, furniture for caucus and retiring rooms, and for kitchen and restaurant equipment, \$300,500, to be immediately available and to remain available until expended; the said appropriation to be expended by the Superintendent of the United States Capitol building and grounds, under the direction of the Commission of the House of Representatives designated by law to supervise the construction of said office building.

Now, Mr. Chairman, that is a part of the preceding appropriation, and, as I understand the rule, I could wait until the end of that section before I offered my amendment. I am offering it, Mr. Chairman, to the subject-matter here. I am undertaking to limit the purpose of this appropriation. It is not an enactment of new law, it is not a creation of a new law. It is not an abrogation of present law at all, but it is simply a limitation upon this appropriation made for this office building, and I submit, Mr. Chairman, that the distinguished chairman of the committee says that they have made a contract with the supervising architect for three years. I presume they have made this contract with him for three years, regardless of when the building is finished. In other words, if that building is finished within one year, they go on and pay the salary of the architect for two years longer when every duty of his has expired and he has none whatever.

Is that what the gentleman means? Why, gentlemen, they make a contract for the construction of a building whether it is one, two, three, four, or five years. I think, Mr. Chairman, that if there is such a contract as that that that contract ought to be submitted to this House, and this House ought to know what officers of the Government are engaged in contracts like that and by what authority of law they are making such contracts.

The CHAIRMAN. The gentleman from Florida has offered an amendment and the gentleman from Minnesota made a point of order on the amendment, as the Chair remembers the par-

liamentary status. We are reading the bill by paragraph. If the committee will notice the paragraph passed on page 92, it referred to "the construction of the fireproof building for committee rooms and offices for the House of Representatives, provided for in the sundry civil appropriation act approved March 3, 1903, etc." That paragraph is a complete paragraph, and if anyone had sought to amend that paragraph the amendment must have been offered at the end of line 21, and any amendment to that paragraph comes in too late. If the members of the committee will read the other paragraph, beginning at the bottom of page 42 and line 22 of the page, it reads: "For furnishing the office building, House of Representatives, including furniture for office rooms, furniture for caucus and retiring rooms, and for kitchen and restaurant equipment, \$300,500, etc."

"Said appropriation—that is, for furnishing—to be expended by the Superintendent of the United States Capitol Building and Grounds under the direction of the Commission of the House of Representatives," etc.; which paragraph has reference solely to appropriations for furnishing the House of Representatives office building. The gentleman now seeks to amend here by this amendment: "Provided, That no portion of the sums appropriated in this paragraph shall be expended in payment for services of architect rendered after September 1, 1907." The Chair thinks that the amendment is not at all germane to the paragraph that is being considered, and therefore sustains the point of order made by the gentleman from Minnesota.

Mr. CLARK of Missouri. Mr. Chairman, the gentleman from Minnesota never made any such point of order. The gentleman from Minnesota made the point of order that it was out of order because it undertook to restrict this appropriation.

The CHAIRMAN. But the gentleman from Iowa made the point of order that it is not germane.

Mr. CLARK of Missouri. You could not have two points of order pending at once.

The CHAIRMAN. The Chair was not considering the point of order made by the gentleman from Minnesota. [Laughter.]

Mr. CLARK of Missouri. Well, that is all right.

Mr. TAWNEY. Mr. Chairman, I offer the following amendment to the paragraph in regard to furniture.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 93, after line 6, insert:
"House of Representatives office building: For maintenance, including heating, lighting, and ventilation, miscellaneous items, and for all necessary services, \$30,000. And the said office building and the employment of all service, other than officers and privates of the Capitol police, that may be appropriated for by Congress, necessary for its protection, care, and occupancy, shall be under the control and supervision of the Superintendent of the Capitol Building and Grounds, subject, until said building is completed, to the approval and direction of the Commission appointed under the sundry civil appropriation act approved March 3, 1903, to supervise the construction of said building; and such control and supervision by the Superintendent of the Capitol Building and Grounds shall be and continue after the completion of said building and not later than after July 1, 1908, subject to the approval and direction of a Commission consisting of the Speaker of the House of Representatives and two Representatives in Congress, to be appointed by the Speaker. Vacancies occurring by resignation, termination of service as Representative in Congress, or otherwise in the membership of said Commission shall be filled by the Speaker, and any two members of said Commission shall constitute a quorum to do business. The Superintendent of the Capitol Building and Grounds shall submit annually to Congress estimates in detail for all services, other than officers and privates of the Capitol police, and for all other expenses in connection with said office building and necessary for its protection, care, and occupancy; and said Commission herein referred to shall from time to time prescribe rules and regulations to govern said Superintendent in making all such employments, together with rules and regulations governing the use and occupancy of all rooms and space in said building."

Mr. SHACKLEFORD. Mr. Chairman, I reserve the point of order on that amendment.

Mr. TAWNEY. Mr. Chairman, there is no question but that the amendment is subject to a point of order, but I want to make a statement.

Mr. SHACKLEFORD. Mr. Chairman, just one word. I have no notion or desire to press the point of order, but in the hurried reading of it I did not catch just what it was. What is the reference to July, 1908?

Mr. TAWNEY. I will say, as I stated a moment ago, that the Superintendent of the Capitol, who has control of the construction of that building, states to the Committee on Appropriations that it will be complete and ready for occupancy at the beginning of the Sixtieth Congress.

Mr. SHACKLEFORD. That is good.

Mr. MANN. I would like to ask the gentleman a question in that connection. What time is fixed when the gentleman says in his amendment "not later than July 30, 1908?"

Mr. TAWNEY. If the gentleman will wait I will explain the amendment. If the language is there that the gentleman mentions, it is a mistake in writing. Now, we have got to pro-

vide for some form of government over there in that building, and if the building is to be ready for occupancy by the 1st of December we must make some provision for it at this session of Congress. Therefore, Mr. Chairman, the attention of the Commission under whose general supervision this building is being constructed was called to this fact, and the Commission concluded, after consideration of the whole subject, that they would recommend to the House an appropriation for lighting and heating and for services to the amount of \$30,000, which will carry us over to the beginning of next fiscal year, and thus enable us at the next session of Congress, when we once get into the building and have more information in regard to the rules and regulations of how it should be governed, to act upon that later and better information.

Mr. SHACKLEFORD. This is not intended to postpone the completion of the building until July 8, 1908?

Mr. TAWNEY. This is intended to enable the Superintendent to arrange for the purchase of the fuel he will have to have in order to heat the building next fall before the meeting of the Sixtieth Congress.

Mr. SHACKLEFORD. Mr. Chairman, I withdraw—

Mr. TAWNEY. It is also for the purpose of employing such personal services in the care of the building as may be necessary until July 1, 1908.

Mr. SHACKLEFORD. I withdraw the point of order.

Mr. SHERLEY. Mr. Chairman, I reserve the point of order.

Mr. CRUMPACKER. Mr. Chairman, I renew the point of order until I can secure some information. This is quite an important amendment. And if it be done it ought to be printed in the RECORD and the matter go over until to-morrow. This Commission is authorized to assign rooms in the building, and that is quite an important matter to every Member of the House. We ought to know something about the power of the Commission, and I therefore ask unanimous consent that the paragraph and amendment with the point of order pending be passed without prejudice.

The CHAIRMAN (Mr. LITTLEFIELD in the chair). The gentleman from Indiana [Mr. CRUMPACKER] asks unanimous consent that the paragraph, the amendment, and the point of order reserved be passed for the time being.

Mr. CRUMPACKER. For the time being, without prejudice.

The CHAIRMAN. Is there objection?

Mr. CLARK of Missouri. Mr. Chairman, I would like to add to it that it be placed in the RECORD, so that we can get it.

Mr. CLARK of Florida. I object, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Indiana [Mr. CRUMPACKER] insist upon his point of order?

Mr. CRUMPACKER. I do not want to insist upon the point of order; no.

The CHAIRMAN. Then let the gentleman from Indiana withdraw his point of order.

Mr. SHERLEY. I renew the point of order.

The CHAIRMAN. Does the gentleman from Florida insist on the point of order?

Mr. CLARK of Florida. I do.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Minnesota [Mr. TAWNEY] a question. I wish to say that this morning I received notice that had some reference to sixteen hours, and I desire to ask the chairman of this committee if that notice was intended to give us notice that we will be held here to-day for sixteen hours continuously without rest?

Mr. TAWNEY. I will say to the gentleman from South Dakota that it had no reference to the labor of the House to-day.

The CHAIRMAN. The gentleman withdraws the pro forma amendment.

The Clerk read as follows:

For furnishing the office building, House of Representatives, including furniture for office rooms, furniture for caucus and retiring rooms, and for kitchen and restaurant equipment, \$300,500, to be immediately available and to remain available until expended; said appropriation to be expended by the Superintendent of the United States Capitol Building and Grounds, under the direction of the Commission of the House of Representatives designated by law to supervise the construction of said office building.

Mr. CLARK of Florida. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by adding, after line 5, page 93, the following:

"Provided, That none of the money herein appropriated shall be paid to any consulting architect for services rendered after September 1, 1907."

Mr. TAWNEY. Mr. Chairman, I make the point of order upon that amendment. It is not germane to the paragraph to

which the amendment has been offered. And I will say further, Mr. Chairman, that another ground upon which the point of order can be made is that it may contravene the provisions of the contract made in accordance with the law out of which the appropriation is to be made and from which the obligations under the contract must be met.

The CHAIRMAN. The Chair understands the gentleman from Minnesota to state that the Government has already made a contract?

Mr. TAWNEY. It has made a contract covering this building and the heating plant.

The CHAIRMAN. That this appropriation is for the purpose of carrying out the provisions of that contract, that this limitation would defeat the provisions of the contract, and prevent the Government from carrying out its obligations?

Mr. TAWNEY. For all the purposes of the construction of this building and this heating plant, including the services of a consulting architect.

The CHAIRMAN. Does the gentleman from Florida controvert that?

Mr. CLARK of Florida. Mr. Chairman, I think that this House ought to be permitted to see that contract, and know if the contract is in such form, and determine whether or not the terms are proper.

The CHAIRMAN. Well, the Chair inquires of the gentleman from Florida whether he controverts the statement of fact made by the chairman of the committee?

Mr. CLARK of Florida. I will state to the Chair that I am not in position to do that. Mr. Chairman, I do not know whether the gentleman from Minnesota has stated the fact or simply his conclusions as to what the contract is. The House might put a different construction upon the contract if the gentleman were to produce it.

The CHAIRMAN. Well, the statement of the gentleman from Minnesota is the only information the Chair has as to the contract, and in the absence of that being controverted the Chair sustains the point of order.

Mr. CLARK of Missouri. I want to ask the chairman of the Committee on Appropriations about this amendment that he had up here. I want to know what there is in it to determine how each man is going to get his own room.

Mr. TAWNEY. I will state to the gentleman from Missouri the amendment will be printed in the RECORD to-morrow morning. It has been ruled out on a point of order.

Mr. CLARK of Missouri. Well, we may get in a better humor to-morrow and let it in.

Mr. TAWNEY. The Commission will control the assignment of rooms.

Mr. WILLIAMS. I suggest to the gentleman from Minnesota that it is now half past 10 o'clock. You have got down to the improvement of the Capitol grounds. You seem to have reached the point where the committee could rise. I guess the committee had better rise.

Mr. TAWNEY. I would say to the gentleman that I would like to continue until 11 o'clock.

Mr. WILLIAMS. Well, Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Mississippi moves that the committee do now rise.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. WILLIAMS. Division, Mr. Chairman.

The committee divided; and there were—ayes 36, yeas 83.

Mr. HEFLIN. Tellers, Mr. Chairman.

The question was taken on ordering tellers.

The CHAIRMAN. Twenty-eight gentlemen have arisen in support of the demand for tellers. Tellers are ordered. The gentleman from Alabama [Mr. HEFLIN] and the gentleman from Minnesota [Mr. TAWNEY] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 22, yeas 89.

So the motion was lost.

The Clerk read as follows:

Depredations on public timber, protecting public lands, and settlement of claims for swamp land and swamp-land indemnity: To meet the expenses of protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriation, and of adjusting claims for swamp lands, and indemnity for swamp lands, \$250,000: *Provided*, That agents and others employed under this appropriation shall be selected by the Secretary of the Interior, and allowed per diem, subject to such rules and regulations as he may prescribe, in lieu of subsistence, at a rate not exceeding \$3 per day each and actual necessary expenses for transportation, including necessary sleeping-car fares.

Mr. BURKE of South Dakota. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment which will be reported by the Clerk.

The Clerk read as follows:

On page 96, line 15, after the word "dollars," insert:

"Provided, That no portion of the amount herein appropriated shall be used in examining or investigating any entry or final proof heretofore made under the homestead laws upon which final receipt has been issued unless there shall have been filed against said entry some charge of fraud or noncompliance with the law."

Mr. TAWNEY. I reserve the point of order on the amendment.

Mr. MONDELL. I offer the following as a substitute for the amendment.

Mr. TAWNEY. I also reserve a point of order on the substitute.

Mr. BURKE of South Dakota. I want it understood that I wish to be heard on the amendment which I offer.

The CHAIRMAN. If there be no objection, the substitute will be reported by the Clerk.

The Clerk read as follows:

At the end of line 21, page 96, insert:

"Provided, That no part of this appropriation shall be used for the examination of the lands embraced in any entry upon which final proof has been made in accordance with law and against which no contest, protest, complaint, or information alleging specific violation of the law has been filed."

The CHAIRMAN. By unanimous consent the gentleman from Minnesota may reserve a point of order against both propositions.

Mr. CLARK of Florida. Mr. Chairman—

Mr. MANN. What is it that is sought to be done by unanimous consent?

The CHAIRMAN. Unless unanimous consent is granted, the gentleman could not reserve points of order against two amendments at the same time.

Mr. MANN. Oh, he desires to reserve points of order!

Mr. TAWNEY. I want to make a statement to the committee, and then—

Mr. CLARK of Florida. Mr. Chairman, a parliamentary inquiry. What is the request for unanimous consent?

The CHAIRMAN. The gentleman from Minnesota desires to reserve points of order against both amendments.

Mr. CLARK of Florida. I object to the request for unanimous consent.

The CHAIRMAN. The gentleman from Florida objects to the request for unanimous consent to have both points of order pending at the same time.

Mr. CLARK of Florida. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Florida. Do I understand the Chair to say that it requires unanimous consent to enable the gentleman from Minnesota to reserve points of order?

Mr. TAWNEY. I desire to make a statement—

Mr. GAINES of Tennessee. Mr. Chairman, I do not want the gentleman to do that until I know whether points of order have been reserved against these two amendments, so that they can go out if there is no law for them.

Mr. TAWNEY. Yes.

Mr. GAINES of Tennessee. That is all right.

Mr. TAWNEY. It is only fair to state to the committee—

The CHAIRMAN. The Chair is advised that except by unanimous consent the first point of order must be disposed of before another amendment can be pending.

Mr. CLARK of Florida. Then I object.

The CHAIRMAN. Before entertaining the second amendment the first point of order must be disposed of, except by unanimous consent.

Mr. CLARK of Florida. I object to unanimous consent.

Mr. TAWNEY. Mr. Chairman, pending that point of order, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LITTLEFIELD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 25745, the sundry civil appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 24887. An act providing for a United States judge for the northern judicial district of Alabama;

H. R. 9298. An act for the relief of the heirs at law of David C. Haynes, deceased;

H. R. 9976. An act to provide for the appointment of an addi-

tional district judge in and for the southern district of the State of Ohio;

H. R. 23324. An act authorizing the sale of certain lands to the city of Buffalo, Wyo.;

H. R. 24284. An act for the opening of Warren and Forty-sixth streets NW., in the District of Columbia;

H. R. 9841. An act to correct the military record of James H. Davis;

H. R. 25013. An act granting to the regents of the University of Oklahoma section No. 36, in township No. 9 north, of range No. 3 west of the Indian meridian, in Cleveland County, Okla.;

H. R. 11273. An act to incorporate the National German-American Alliance;

H. R. 18854. An act providing for sittings of the United States circuit and district courts of the southern district of Ohio at the city of Dayton, in said district;

H. R. 25234. An act permitting the building of a dam across Rock River at Lyndon, Ill.;

H. R. 5666. An act for the relief of L. L. Arrington and L. S. Arrington;

H. R. 2324. An act granting a pension to Christina Vetter;

H. R. 5497. An act granting a pension to Cora Allie Booth;

H. R. 5774. An act granting a pension to Cornelia Mitchell;

H. R. 5926. An act granting a pension to Sarah C. Pitman;

H. R. 7255. An act granting a pension to Christopher Horn;

H. R. 9445. An act granting a pension to Ida E. G. Pierce;

H. R. 10023. An act granting a pension to Martha J. Lewis;

H. R. 10164. An act granting a pension to Emma L. Beatty;

H. R. 13163. An act granting a pension to Rittie Blackwell;

H. R. 15492. An act granting a pension to William L. Tyler;

H. R. 16819. An act granting a pension to John V. Sumner;

H. R. 16905. An act granting a pension to Anna E. Marble;

H. R. 16925. An act granting a pension to Johanne Lange;

H. R. 18519. An act granting a pension to Benjamin W. Mc-Cray;

H. R. 18874. An act granting a pension to Nannie T. Johnson;

H. R. 19079. An act granting a pension to Phoebe Templeton;

H. R. 20148. An act granting a pension to Flora Fenzl;

H. R. 20352. An act granting a pension to Martha Stevens;

H. R. 21038. An act granting a pension to Lucy A. Gaylord;

H. R. 21130. An act granting a pension to Margaret McNally;

and

H. R. 21352. An act granting a pension to Hester A. Parrish.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1160. An act to correct the naval record of John McKinnon, alias John Mack; and

S. 2769. An act to divide the judicial district of Nebraska into divisions and to provide for an additional district judge in said district.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 17875. An act waiving the age limit for admission to the Pay Corps of the United States Navy in the case of W. W. Peirce;

H. R. 25366. An act to authorize the New Orleans and Great Northern Railroad Company to construct a bridge across Pearl River, in the State of Mississippi;

H. R. 14361. An act granting an honorable discharge to David Harrington;

H. R. 25046. An act to authorize the construction of a bridge across the Mississippi River at Louisiana, Mo.;

H. R. 24989. An act to provide for the commutation for town-site purposes of homestead entries in certain portions of Oklahoma;

H. R. 24821. An act to authorize the Georgia Southwestern and Gulf Railroad Company to construct a bridge across the Chattahoochee River between the States of Alabama and Georgia;

H. R. 23384. An act to amend an act entitled "An act to amend an act entitled 'An act to establish a code of law for the District of Columbia,' regulating proceedings for condemnation of lands for streets;"

H. R. 18924. An act for the relief of George M. Esterly;

H. R. 21684. An act to amend section 2 of the act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 31, 1906; and

H. R. 21579. An act granting an increase of pension to Sarah R. Harrington.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—
To Mr. LOWDEN, for four days, on account of sickness in his family.

To Mr. BOUTELL, for to-day, on account of sickness.
 To Mr. LIVINGSTON, for to-day, on account of sickness.
 Mr. TAWNEY. I move that the House do now adjourn.
 The motion was agreed to.
 Accordingly (at 10 o'clock and 48 minutes p. m.) the House adjourned until Friday, February 22, 1907, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a cablegram from the president of the Economic Association of the Philippines relating to duties on sugar and hemp—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, submitting an estimate of appropriation for carrying out the provisions of the act for the relief of the Gurley Memorial Presbyterian Church, etc.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the president of the Board of Commissioners of the District of Columbia submitting an estimate of deficiency in appropriation for support of the insane of the District—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of deficiency in appropriation for prevention of deposits in New York Harbor—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting, in response to the inquiry of the House, statements relative to lands and buildings leased to the Government in the District of Columbia—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Plymouth Frazier, jr., against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 6147) authorizing changes in certain street railway tracks within the District of Columbia, and for other purposes, reported the same with amendment, accompanied by a report (No. 8049); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURTON of Ohio, from the Committee on Rivers and Harbors, to which was referred the bill of the Senate (S. 8189) granting to the St. Louis, Iron Mountain and Southern Railway Company, a corporation, the right to construct, maintain, and operate a single track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, Upper White River, Arkansas, reported the same with amendment, accompanied by a report (No. 8053); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the resolution of the House (H. Res. 659) relative to pay of Members elected to fill vacancies, reported the same without amendment, accompanied by a report (No. 8043); which said resolution and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25671) to authorize the construction of a bridge across the Grand Calumet River, State of Illinois, reported the same without amendment, accompanied by a report (No. 8048); which said bill and report were referred to the House Calendar.

Mr. SMITH of Michigan, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 6993) to create the Barnaby road, from its intersection with the Livingston road to the District line, a public highway in the

District of Columbia, reported the same without amendment, accompanied by a report (No. 8051); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 8208) authorizing the extension of Park place NW., reported the same without amendment, accompanied by a report (No. 8054); which said bill and report were referred to the House Calendar.

Mr. CAMPBELL of Kansas, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 4506) to provide for the better registration of births in the District of Columbia, and for other purposes, reported the same without amendment, accompanied by a report (No. 8056); which said bill and report were referred to the House Calendar.

Mr. ROBINSON of Arkansas, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 6498) to amend an act entitled "An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark.," approved April 20, 1904, reported the same with amendment, accompanied by a report (No. 8057); which said bill and report were referred to the House Calendar.

Mr. CHARLES B. LANDIS, from the Committee on Printing, to which was referred the bill of the House (H. R. 25736) to amend an act providing for the public printing and binding and the distribution of public documents, reported the same with amendment, accompanied by a report (No. 8058); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 15434) to regulate appeals in criminal prosecutions, with Senate amendments thereto, reported the same, accompanied by a report (No. 8060); which said report was referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ROBINSON of Arkansas, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 23988) to authorize a patent to be issued to Martha Sanders, widow of Levi B. Sanders, for certain lands therein described, reported the same with amendment, accompanied by a report (No. 8046); which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 24390) to correct the military record of Charles H. Kellen, reported the same without amendment, accompanied by a report (No. 8047); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4964) for the relief of Thomas F. Walter, reported the same without amendment, accompanied by a report (No. 8050); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 7903) granting an increase of pension to Catherine De Rosset Meares, reported the same without amendment, accompanied by a report (No. 8052); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8511) granting a pension to George L. Dancy, reported the same without amendment, accompanied by a report (No. 8055); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Montana, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 25697) granting land to Anna Johnson, reported the same with amendment, accompanied by a report (No. 8059); which said bill and report were referred to the Private Calendar.

ADVERSE REPORT.

Under clause 2 of Rule XIII, adverse report was delivered to the Clerk and laid on the table as follows:

Mr. HOLLIDAY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1519) to correct the military record of Henry Myers, reported the same adversely, accompanied by a report (No. 8045); which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS
INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LAMAR: A bill (H. R. 25767) to prohibit lobbying at the national capital in behalf of railroad or railway companies engaged in interstate commerce—to the Committee on the Judiciary.

By Mr. MONDELL: A bill (H. R. 25768) providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof—to the Committee on the Public Lands.

By Mr. COOPER of Pennsylvania: A bill (H. R. 25769) to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906—to the Committee on Interstate and Foreign Commerce.

By Mr. ENGLEBRIGHT: A bill (H. R. 25770) to create the Calaveras Bigtree National Forest, and for other purposes—to the Committee on the Public Lands.

By Mr. POLLARD: A bill (H. R. 25771) to authorize the Treasurer of the United States to receive \$1,861.84 from ERNEST M. POLLARD, a Member of Congress from Nebraska, for salary paid him without authority of law—to the Committee on Ways and Means.

By Mr. SMITH of Arizona: A bill (H. R. 25772) authorizing the county of Gila, Ariz., to issue bonds for the completion of the court-house and jail—to the Committee on the Territories.

By Mr. AIKEN: A bill (H. R. 25773) permitting the building of a dam across the Savannah River at McDaniel shoals—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 25774) permitting the building of a dam across the Savannah River at Turner shoals—to the Committee on Interstate and Foreign Commerce.

By Mr. ALEXANDER: A bill (H. R. 25775) to amend an act approved June 28, 1906, to authorize the city of Buffalo, N. Y., to construct a tunnel under Lake Erie for the purpose of supplying said city with pure water—to the Committee on Rivers and Harbors.

By Mr. AIKEN: A bill (H. R. 25776) permitting the building of a dam across the Savannah River at Middleton shoals—to the Committee on Interstate and Foreign Commerce.

By Mr. MONDELL: A resolution (H. Res. 876) requesting the Secretary of the Interior to send to the House information concerning certain public lands in the United States—to the Committee on the Public Lands.

By Mr. GROSVENOR: A resolution (H. Res. 877) providing for night session on Friday, February 22, 1907, for consideration of Senate bill 529, etc.—to the Committee on Rules.

By Mr. BENNET of New York: A resolution (H. Res. 878) providing for the printing of 5,000 extra copies of public act 96, concerning immigration of aliens into the United States—to the Committee on Printing.

By Mr. OVERSTREET of Indiana: Memorial of the legislature of Indiana, concerning the Pacific coast trade and commerce—to the Select Committee on Industrial Arts and Expositions.

By the SPEAKER: Memorial of the legislature of Indiana, favoring an Alaska, Yukon, and Pacific exposition—to the Select Committee on Industrial Arts and Expositions.

By Mr. BURTON of Delaware: Memorial of the legislature of Delaware, proposing an amendment of the United States Constitution prohibiting polygamy and polygamous cohabitation—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BURTON of Ohio: A bill (H. R. 25777) granting a pension to Elizabeth P. Boggis—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 25778) to correct the military record of William T. Rea—to the Committee on Military Affairs.

Also, a bill (H. R. 25779) to correct the military record of James H. Cowan—to the Committee on Military Affairs.

By Mr. GARDNER of New Jersey: A bill (H. R. 25780) granting a pension to Elmira H. Ludlam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25781) granting an increase of pension to John Jones—to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 25782) for the relief of Mrs. Amanda M. Brown—to the Committee on War Claims.

By Mr. McGUIRE: A bill (H. R. 25783) granting an increase of pension to James H. Williams—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Takoma Park Citizens' Association, for the bill granting charter for the Baltimore and Washington Transit Company in the form in which it passed the Senate—to the Committee on the District of Columbia.

Also, petitions of various organizations of citizens in the States and the District of Columbia, against the Littlefield bill—to the Committee on the Judiciary.

By Mr. ACHESON: Paper to accompany bill for relief of David G. Roney—to the Committee on Invalid Pensions.

Also, petition of the United Commercial Travelers of America, for an interchangeable system of mileage books for the railways of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. BURLEIGH: Petition of the United Commercial Travelers of America, for the Sherman mileage-rate bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BURNETT: Paper to accompany bill for relief of John H. Wisdom—to the Committee on War Claims.

By Mr. BURTON of Delaware: Petition of the Methodist Ministers' Association of Wilmington, Del., for the Littlefield bill—to the Committee on the Judiciary.

Also, petition of the Pomona Grange, of Sussex County, Del., against the ship subsidy—to the Committee on the Merchant Marine and Fisheries.

By Mr. CALDER: Petition of the United Commercial Travelers of America, for the Sherman mileage-rate bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Florida: Petition of the United Commercial Travelers of America, for an interchangeable mileage system for the railways of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. CROMER: Petition of the Alliance of German Societies of Alexandria, Ind., against further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, paper to accompany bill for relief of Lewis Mack—to the Committee on Military Affairs.

By Mr. DALE: Petition of the National Institute of Arts and Letters, for a liberal copyright law—to the Committee on Patents.

Also, petition of the Pennsylvania Association of the State of Washington, for \$75,000 for the Alaska-Yukon-Pacific Exposition—to the Select Committee on Industrial Arts and Expositions.

Also, petition of the California State Federation of Labor, for increase of salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of the California State Federation of Labor, against the position of the President relative to Japanese in San Francisco—to the Committee on Foreign Affairs.

By Mr. DAWSON: Petition of the German-American Central Association of Scott County, Iowa, against passage of bill H. R. 13655 (the Littlefield bill)—to the Committee on the Judiciary.

Also, petition of the Independent Liberal Citizens' Association of Iowa, against passage of bill H. R. 13655—to the Committee on the Judiciary.

By Mr. DOVENER: Papers to accompany bills for relief of John F. Starcher and Edgar D. Musgrave—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of the United Commercial Travelers of America, for a system of mileage books for all the railways in the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. DUNWELL: Petition of the United Commercial Travelers of America, for a system of mileage books for all the railways of the United States—to the Committee on Interstate and Foreign Commerce.

Also, petition of the California State Federation of Labor, against the petition of the President relative to the Japanese in San Francisco—to the Committee on Foreign Affairs.

Also, petition of the California State Federation of Labor, for increase of salaries of post-office clerks (H. R. 9754)—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Petition of the United Commercial Travelers of America, for legislation for a system of mileage books on all the railways of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. FLOYD: Papers to accompany bills for relief of James H. Cowan and William F. Rea—to the Committee on Military Affairs.

By Mr. FRENCH: Petition of Boise City Typographical Union, No. 271, for the new copyright bills (S. 6330 and H. R. 19853)—to the Committee on Patents.

By Mr. FULKERSON: Petition of civil war veterans of St. Joseph, Mo., for bill H. R. 24544—to the Committee on Military Affairs.

By Mr. FULLER: Petition of the United Commercial Travelers' Association, for a system of interchangeable mileage books for the railways of the United States—to the Committee on Interstate and Foreign Commerce.

Also, petition of Charles S. Croney, Hoopston, Ill., for an appropriation for a steel dry dock—to the Committee on Naval Affairs.

Also, petition of composers of music, for the copyright bills (S. 6330 and H. R. 19853)—to the Committee on Patents.

By Mr. GOULDEN: Paper to accompany bill for relief of Thomas Allen—to the Committee on Pensions.

Also, paper to accompany bill for relief of Alfred Miller—to the Committee on Military Affairs.

By Mr. GRAHAM: Petition of the United Commercial Travelers of America, for the Sherman mileage-rate bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Francis A. Howard, for an appropriation for experimental tests of signograph and semaphore safety devices—to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Institute of Arts and Letters, for a liberal copyright law—to the Committee on Patents.

Also, petition of J. W. Vickerman, for the Garrett bill for right of railways to exchange transportation for advertising—to the Committee on Interstate and Foreign Commerce.

By Mr. GROSVENOR: Petition of the United Commercial Travelers of America, for the Sherman mileage-rate bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HUFF: Petition of the United Commercial Travelers, for the Sherman interstate mileage bill—to the Committee on Interstate and Foreign Commerce.

By Mr. KELIHER: Petition of the Springfield (Mass.) Board of Trade, for the Appalachian and White Mountains forest reservation—to the Committee on Agriculture.

Also, petition of the Springfield (Mass.) Board of Trade, for a uniform bill of lading—to the Committee on Interstate and Foreign Commerce.

By Mr. LAMB: Petition of the United Commercial Travelers of America, for the Sherman mileage-rate bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY: Petition of the United Commercial Travelers of America, for an interchangeable system of mileage books for the railways of the United States—to the Committee on Interstate and Foreign Commerce.

Also, petition of the German-American Peace Society, for an appropriation of \$1,000 in aid of the International Peace Bureau in Berne—to the Committee on Foreign Affairs.

Also, petition of McLaughlin Brothers, for an amendment in the copyright bill favoring the lithographic trade—to the Committee on Patents.

By Mr. McCALL: Petition of the Boston Wholesale Oyster Dealers' Association, against restriction of the oyster trade by provisions of the pure-food law—to the Committee on Agriculture.

By Mr. McNARY: Paper to accompany bill for relief of Edward H. Emerson—to the Committee on Invalid Pensions.

Also, petition of the Springfield (Mass.) Board of Trade, for a uniform bill of lading—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Springfield (Mass.) Board of Trade, for the Appalachian and White Mountain forest reserves—to the Committee on Agriculture.

By Mr. MOORE of Pennsylvania: Petition of Liberty Centennial Lodge, No. 76, Independent Order of Free Sons of Israel, for a full inquiry into the status of the immigration question—to the Committee on Immigration and Naturalization.

Also, petition of the National Institute of Arts and Letters, for the copyright law—to the Committee on Patents.

Also, petition of William R. Rau, against the clause in the copyright bill inimical to American photography—to the Committee on Patents.

By Mr. NORRIS: Petition of voters and residents of Wood River, Nebr., against reduction of allowance to railways for carrying the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. OVERSTREET of Indiana: Petition of the United

Commercial Travelers of America, for a system of mileage books for all the railways of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. RIORDAN: Petition of the German-American Peace Society, for an appropriation for an international peace bureau in Berne—to the Committee on Foreign Affairs.

By Mr. ROBINSON of Arkansas: Petition of the Board of Trade of Pine Bluff, Ark., in favor of reciprocal demurrage—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Petition of Bookbinders' Local Union No. 17, International Brotherhood of Bookbinders, for bills S. 5469 and H. R. 17502, for investigation of the condition of woman and child workers in the United States—to the Committee on Labor.

By Mr. SCHNEEBELI: Petition of E. T. Conner Post, No. 177, Grand Army of the Republic, Department of Pennsylvania, against abolition of the pension agencies—to the Committee on Appropriations.

Also, petition of the United Commercial Travelers, for the Sherman mileage-rate bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of the United Commercial Travelers of America, for a system of mileage books for all the railways in the United States—to the Committee on Interstate and Foreign Commerce.

Also, petition of the German-American Peace Society, for an appropriation of \$1,000 for the support of the International Peace Bureau in Berne—to the Committee on Foreign Affairs.

Also, petition of members of the National Institute of Arts and Letters, for a liberal copyright law—to the Committee on Patents.

By Mr. UNDERWOOD: Petition of the grand officers of the Brotherhood of Railway Employees of the United States, for the adoption of a safer and better mail crane—to the Committee on the Post-Office and Post-Roads.

SENATE.

FRIDAY, February 22, 1907.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. EDWARD E. HALE, offered the following prayer:

Let us now praise famous men and our fathers that begat us. Leaders of the people by their counsel, wise were they; their words were for the instruction of the people; their glory shall never be blotted out; their bodies were buried in peace, and their names live for all generations.

The Lord God gave him commandments face to face, even the law of life and knowledge.

Let us pray. Father, here are our prayers for ourselves, for our homes, for this Congress, for the nation, and for the world. That these memories of the past may not be in vain as we look forward to to-day and to-morrow and the future. That this people of America may know what gift Thou wast pleased to give them when Thou didst send to be Thy servant here him who was first in war, first in peace, and first in the hearts of his countrymen. And that for to-day and to-morrow and for the days that are to come, each of us—we are all Thy children—shall seek to enter into Thy work; yes, as the Father of his Country entered into his to lift up that that has fallen down, to open eyes that have been blind and ears that have been deaf, and to live in the service of the living God, that we may do justly, that we may love mercy, and that we may walk humbly with our God.

Here is our prayer. Answer us and bless us as Thine own children, in Christ Jesus.

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come; Thy will be done on earth as it is done in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory for ever and ever. Amen.

THE JOURNAL.

On request of Mr. BURROWS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with, and the Journal was approved.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE-PRESIDENT. The Farewell Address of George Washington will be read, under the order of the Senate, by the junior Senator from Nebraska [Mr. BURKETT].